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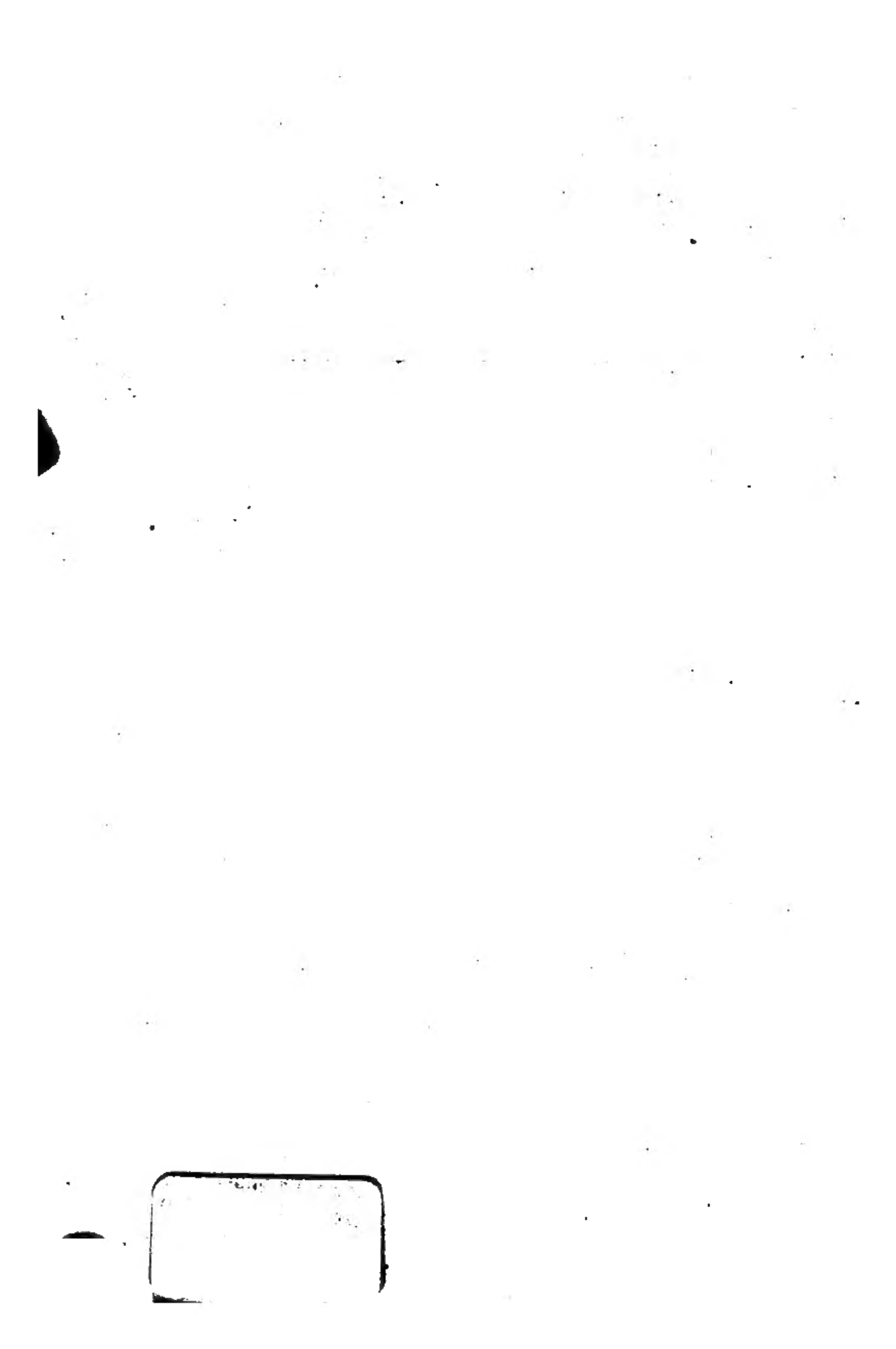
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THE

Journal of the House

OF THE

LEGISLATIVE ASSEMBLY

OF THE

STATE OF OREGON

FOR THE

FOURTEENTH REGULAR SESSION

WITH APPENDIX.

1887.



SALEM, OREGON:

FRANK C. BAKER, STATE PRINTER.
1887.

OFFICERS OF THE HOUSE.

FOURTEENTH BIENNIAL SESSION—1887.

J. T. GREGG, Salem	Speaker
A. C. JENNINGS, Irving	Chief Clerk
J. P. COLE, Canby	Assistant Clerk
I. M. ADAIR, Salem	Reading Clerk
HENRY ROGERS, Grant's Pass	Sergeant-at-Arms
THOMAS YOUNG, Portland	Doorkeeper
LORIN LAUGHEAD, Salem	Pages
FRED BAKER -----Salem	
MAC SMITH -----Salem	

MEMBERS OF THE HOUSE.

FOURTEENTH BIENNIAL SESSION—1887.

W. F. BENJAMIN	Roseburg, Douglas County
JAS. E. BLUNDELL	Canyonville, Douglas County
J. T. BOWDITCH	Ashland, Jackson County
L. BILYEU	Eugene, Lane County
W. H. BIGGS	Wasco, Crook, Gilliam and Wasco Counties
A. BLEVINS	Tangent, Linn County
A. H. CROOK	Ellensburg, Coos and Curry Counties
W. B. CULVER	Salem, Marion County
F. M. CROCKETT	Milton, Umatilla County
M. M. DAVIS	Yaquina, Benton County
J. J. DALY	Dallas, Polk County
M. P. GARD	Viola, Clackamas County
D. GUBSER	Middleton, Washington County
D. GOODSSELL	105 First street, Portland, Multnomah County
H. C. GAY	Heppner, Morrow County
J. H. HOLLAND	Vale, Baker County
C. K. HALE	Hale, Lane County
B. R. HENRY	Pine, Linn County
F. C. HANSARD	Lebanon, Linn County
C. F. HICKS	Silverton, Marion County
W. H. HARRIS	246 Second street, Portland, Multnomah County
S. R. HARRINGTON	East Portland, Multnomah County
A. M. HOLMES	McCoy, Polk County
P. W. HALEY	Independence, Polk County
J. B. JOHNSON	Prairie City, Grant County
J. KRUSE	Wilksonville, Clackamas County
R. A. LOCKETT	Dell, Baker County
A. M. LAFOLLETT	Brooks, Marion County
CHAS. LAFOLLETT	Sheridan, Yamhill County
S. LAYMAN	Woodburn, Marion County

MEMBERS OF THE HOUSE—CONTINUED.

R. R. LAUGHLIN	North Yamhill, Yamhill County
F. N. LITTLE	North Yamhill, Yamhill County
L. MAYER	Molalla, Clackamas County
J. W. MAXWELL	{ Netarts, Clackamas, Tillamook and Columbia Counties.
R. A. MILLER	Jacksonville, Jackson County
I. D. MILLER	Miller, Linn County
S. U. MITCHELL	Grant's Pass, Josephine County
ROBT. MCLEAN	Linkville, Klamath and Lake Counties
WM. MUNGER	{ Sixteenth and S streets, Portland, Multnomah County.
H. MCKENZIE	Drain, Douglas County
D. MACKAY	61 North Fifteenth street, Portland, Multnomah County
F. D. McCULLY	Joseph, Union County
P. S. NOYER	Molalla, Clackamas County
J. M. OSBORN	Corvallis, Benton County
M. POMEROY	Rainier, Columbia County
P. P. PALMER	Scottsburg, Douglas County
D. J. PENDLETON	Butteville, Marion County
T. PAULSEN	Garden Home, Washington County
J. S. ROBERTS	Myrtle Point, Coos County
W. W. RICHARDSON	Scio, Linn County
J. M. STAFFORD	Eugene, Lane County
J. W. SWANK	Brownsville, Linn County
O. SUMMERS	183 First street, Portland, Multnomah County
D. SMITH	Forest Grove, Washington County
S. G. THOMPSON	Pine, Lane County
E. E. TAYLOR	Summerville, Union County
D. H. VANDERPOOL	Wells, Benton County
JOHN WILSON	P. O. box 764, Portland, Multnomah County
W. H. WILCOX	Fossil, Crook, Gilliam and Wasco Counties
J. T. GREGG	Salem, Marion County

STANDING COMMITTEES,

ELECTIONS—Richardson, Johnson, Kruse, Crockett, Vanderpool.
WAYS AND MEANS—Benjamin, Pendleton, Noyer.
EDUCATION—Blundell, Gubser, Henry.
JUDICIARY—Harrington, Goodsell, Charles Lafollett, Bilyeu, Daly.
CLAIMS—Culver, Gard, Bowditch.
MILITARY AFFAIRS—Summers, Gay, Wilcox.
ROADS AND HIGHWAYS—Gard, Pendleton, Lockett.
ENGROSSED BILLS—Roberts, Little, Hale.
ENROLLED BILLS—Wilson, Hicks, Davis.
INDIAN AFFAIRS—Gay, McLean, I. D. Miller.
PRINTING—Paulsen, Summers, R. A. Miller.
CORPORATIONS—Laughlin, Wilson, Mitchell.
COMMERCE—Maxwell, Goodsell, Palmer, Blevins, Biggs.
COUNTIES—McCully, Laughlin, Roberts, Wilcox, Osborn.
FEDERAL RELATIONS—Johnson, Munger, Hansard.
MINING—Holland, A. M. Lafollett, Swank.
PUBLIC LANDS—McLean, Crook, Noyer.
INTERNAL IMPROVEMENTS—Stafford, Palmer, Holmes.
PUBLIC BUILDINGS—Pomeroy, Munger, McKenzie.
AGRICULTURE—Crook, A. M. Lafollett, Taylor.
ALCOHOLIC TRAFFIC—Layman, Benjamin, Haley.
RAILWAYS AND TRANSPORTATION—Mackay, Pomeroy, Layman, Biggs, Mayer.
ASSESSMENT AND TAXATION—Smith, Harris, Culver, Daly, Thompson.

HOUSE JOURNAL.

HOUSE OF REPRESENTATIVES, }
SALEM, OREGON, MONDAY, January 18, 1887. }

This being the day fixed by the law of the State of Oregon for the convening of the legislative assembly, the members of the house of representatives met in the hall of the house on Monday, January 10, 1887, at 11 o'clock A. M., and were called to order by Hon. J. T. Gregg, Chief Clerk of the special session convened November 9, 1885, by proclamation of His Excellency the Governor.

On motion of Mr. Goodsell and by vote of the members present, John H. Roberts was elected Speaker *pro tem.* and A. C. Jennings Chief Clerk *pro tem.*

Mr. Hicks moved that a committee of five be appointed on credentials, which motion prevailed, and the Speaker *pro tem.* appointed Messrs. Hicks of Marion, Harrington of Multnomah, Lockett of Baker, Bilyeu of Lane and McLean of Klamath and Lake as such committee.

On motion of Mr. Gregg the House adjourned until 2:30 P. M.

AFTERNOON SESSION.

The house was called to order at 2:30 P. M. by the Speaker *pro tem.*, and the committee on credentials submitted the following

REPORT.

We your committee on credentials beg leave to report the following persons as entitled to seats in the house, to wit:

Baker—I. H. Holland, R. A. Lockett.
 Benton, J. M. Osborn, M. M. Davis, D. H. Vanderpool.
 Clackamas—M. P. Gard, John Kruse, L. Mayer, P. S. Noyer.
 Clatsop and Tillamook—J. W. Maxwell.
 Coos—John H. Roberts.
 Coos and Curry—A. H. Crook.
 Columbia—Merritt Pomeroy.
 Douglas—W. F. Benjamin, James E. Blundell, P. P. Palmer and
 Hugh McKenzie.
 Grant—J. B. Johnson.
 Jackson—R. A. Miller and J. T. Bowditch.
 Josephine—S. U. Mitchell.
 Klamath and Lake—Robert McLean.
 Lane—J. M. Stafford, L. Bilyeu, S. G. Thompson, C. K. Hale.
 Linn—W. W. Richardson, B. R. Henry, J. W. Swank, Alfred
 Blevins, F. C. Hansard, I. D. Miller.
 Marion—J. T. Gregg, C. F. Hicks, D. J. Pendleton, W. B. Culver,
 A. M. Lafollett, Samuel Layman.
 Multnomah—John Wilson, O. Summers, W. H. Harris, Wm.
 Munger, S. R. Harrington, D. McKay, David Goodsell.
 Polk—John J. Daly, A. M. Holmes, P. W. Haley.
 Umatilla—F. M. Crockett.
 Union—E. E. Taylor, F. D. McCully.
 Washington—D. Gubser, D. Smith, Thomas Paulsen.
 Yamhill—E. R. Laughlin, F. N. Little, Chas. Lafollett.
 Crook, Gilliam and Wasco—W. H. Wilcox, W. H. Biggs.
 Morrow—H. C. Gay.

Respectfully submitted,

C. F. HICKS,
 S. R. HARRINGTON,
 ROBERT McLEAN,
 L. BILYEU,

Committee

On motion the report was adopted.

On motion of Mr. Daly, a committee of three on permanent organization was appointed, as follows: Messrs. Daly of Polk, Paulsen of Washington and Benjamin of Douglas.

On motion the house took a recess of twenty minutes.

After recess the house was called to order.

On motion of Mr. Bowditch, the Speaker *pro tem.* appointed a committee to wait upon the Secretary of State and invite him within the bar of the house to administer the oath of office to the members.

The committee reported the Secretary of State within the bar of the house, and the Speaker *pro tem.* ordered the roll called and each member was found to be present.

The Secretary of State being introduced, administered the oath as required by law.

On motion of Mr. Culver, the members were called by counties to sign the oath.

Members all signed the oath at the Clerk's desk as called.

The committee on permanent organization made the following

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, January 10, 1887. }

We, your committee on permanent organization, beg leave to report the following order of election of officers:

First—Election of Speaker.

Second—Election of Chief Clerk.

Third—Election of Assistant Chief Clerk.

Fourth—Election of Sergeant-at-Arms.

Fifth—Election of Doorkeeper.

Sixth—Election of three Pages.

Signed,

JOHN J. DALY,
THOMAS PAULSEN,
W. F. BENJAMIN,
Committee.

On motion the report was adopted.

Nominations for Speaker being in order, Mr. Blundell placed J. T. Gregg in nomination and Mr. Daly nominated L. Bilyeu.

Those voting for Mr. Gregg were:

Messrs. Benjamin, Blundell, Bilyeu, Crook, Culver, Gard, Gubser, Goodsell, Gay, Holland, Hicks, Harris, Harrington, Johnson, Kruse, A. M. Lafollett, Chas. Lafollett, Layman, Laughlin, Little, Maxwell, McLean, Munger, Mackay, McCully, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Summers, Smith, Wilson—35.

Those voting for Mr. Bilyeu were:

Messrs. Bowditch, Biggs, Blevins, Crockett, Davis, Daly, Gregg, Hale, Henry, Hansard, Holmes, Haley, Lockett, Mayer, R. A. Miller, I. D. Miller, Mitchell, McKenzie, Noyer, Osborn, Swank, Thompson, Taylor, Vanderpool, Wilcox—25.

On motion of Mr. Benjamin, a committee of three was appointed to conduct the Speaker to the chair, and the Speaker *pro tem.* appointed as such committee Messrs. Benjamin, Smith and Palmer.

The Speaker was duly introduced by the Speaker *pro tem.* and took his seat.

The Chair announced next in order nominations for Chief Clerk,

and Mr. Kruse nominated A. C. Jennings, and Mr. Bilyeu nominated L. Williams.

Those voting for Mr. Jennings were :

Messrs. Benjamin, Blundell, Crook, Culver, Gregg, Gard, Gubser, Goodsell, Gay, Holland, Hicks, Harris, Harrington, Johnson, Kruse, A. M. Lafollett, Charles Lafollett, Layman, Laughlin, Little, Maxwell, Munger, Mackay, McCully, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Summers, Smith, Wilson—35.

Those voting for Mr. Williams were :

Messrs. Bowditch, Bilyeu, Biggs, Blevins, Crockett, Davis, Daly, Hale, Henry, Hansard, Holmes, Haley, Lockett, Mayer, R. A. Miller, I. D. Miller, Mitchell, McKenzie, Noyer, Osborn, Swank, Thompson, Taylor, Vanderpool, Wilcox—25.

Mr. Jennings having received a majority of all the votes cast was declared duly elected.

The Speaker announced next in order nominations for Assistant Chief Clerk.

Mr. Culver nominated J. P. Cole.

There being no further nominations the Speaker declared nominations closed.

Those voting for Mr. Cole were :

Messrs. Benjamin, Bowditch, Biggs, Crook, Gregg, Gard, Gubser, Goodsell, Gay, Holland, Hicks, Harris, Harrington, Johnson, Kruse, Lockett, A. M. Lafollett, Charles Lafollett, Layman, Laughlin, Little, Maxwell, McLean, Munger, Mackay, McCully, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Summers, Smith, Wilson—37.

Those not voting were:

Messrs. Blundell, Bilyeu, Blevins, Crockett, Davis, Daly, Hale, Henry, Hansard, Holmes, Haley, Charles Lafollett, Mayer, R. A. Miller, I. D. Miller, Mitchell, McKenzie, Noyer, Swank, Thompson, Taylor, Vanderpool, Wilcox—23.

Mr. Cole having received a majority of all the votes cast was declared elected Assistant Chief Clerk.

The Speaker announced as next in order nominations for Sergeant-at-Arms and the following gentlemen were placed in nomination: H. Rogers and Robert Thompson.

Those voting for Mr. Rogers were :

Messrs. Benjamin, Blundell, Crook, Culver, Gregg, Gard, Gubser, Goodsell, Gay, Holland, Hicks, Harris, Harrington, Johnson, Kruse, A. M. Lafollett, Layman, Laughlin, Little, Maxwell, McLean, Munger, Mackay, McCully, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Summers, Smith, Wilcox—34.

Those voting for Mr. Thompson were:

Messrs. Bowditch, Bilyeu, Biggs, Blevins, Crockett, Davis, Daly, Hale, Henry, Hansard, Holmes, Haley, Lockett, Mayer, R. A. Miller, I. D. Miller, Mitchell, McKenzie, Noyer, Osborn, Swank, Thompson, Taylor, Vanderpool, Wilcox—25.

Not voting—Charles Lafollett—1.

Mr. Rogers having received a majority of all the votes cast was declared duly elected Sergeant-at-Arms.

The Speaker announced as next in order nominations for Doorkeeper, and Thomas Young, S. B. Catterlin, A. Veatch and Ed. C. Herren were nominated.

Those voting for Mr. Young were:

Messrs. Benjamin, Blundell, Crook, Culver, Gregg, Gard, Gubser, Goodsell, Gay, Holland, Hicks, Harris, Harrington, Johnson, Kruse, A. M. Lafollett, Layman, Laughlin, Little, Maxwell, McLean, Munger, Mackay, McCully, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Stafford, Summers, Smith, Wilson—33.

Those voting for Mr. Herren were:

Messrs. Bowditch, Bilyeu, Biggs, Blevins, Crockett, Davis, Daly, Hale, Henry, Hansard, Holmes, Haley, Lockett, Mayer, R. A. Miller, I. D. Miller, Mitchell, McKenzie, Noyer, Osborn, Swank, Thompson, Wilcox—23.

Those voting for Mr. Catterlin were:

Messrs. Richardson and Taylor—2.

Those not voting were:

Messrs. Charles Lafollett and Vanderpool—2.

Mr. Young having received a majority of all the votes cast was declared duly elected Doorkeeper.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, January 10, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has organized by the election of the following officers, to-wit:

J. C. Carson, President.

E. G. Hursh, Chief Clerk.

C. W. Watts, Assistant Clerk.

T. C. Stephens, Sergeant-at-Arms.

J. W. McCormick, Doorkeeper.

And the President being directed to appoint pages, the senate is now ready for business.

E. G. HURSH,
Chief Clerk.

The Speaker announced as the next order of business the election of three Pages.

Nominations being in order, L. Laughead, Mac Smith, John Charlton, A. Smith and F. Baker were placed in nomination.

Mr. Paulsen moved that the Pages be elected one at a time. Carried.

First Ballot--Laughead 59, blank 1.

Mr. Laughead having received a majority of all the votes cast, was declared duly elected.

Second Ballot--Fred Baker 30, Mac Smith 26.

The Speaker announced that Baker, having received a majority of all the votes cast, was duly elected Page.

Third Ballot--A. Smith 27, John Charlton 2, Mac Smith 28.

The Speaker announced that no one having received a majority of the votes cast there was no election.

Fourth ballot--A. Smith 25, Mac Smith 34.

The Speaker announced that Mac Smith, having received a majority of all the votes cast, was duly elected Page.

On motion of Mr. Benjamin, the Secretary of State was requested to come within the bar of the house and administer the oath to the officers-elect.

As requested, the Secretary of State appeared and each officer was sworn in.

On motion of Mr. Harrington, the rules for the thirteenth biennial session were adopted as the rules of the house for this session.

On motion of Mr. Thompson, the Clerk was instructed to inform the senate that the house is now organized and ready for business.

On motion of Mr. R. A. Miller, the house adjourned until to-morrow at 10 A. M.

A. C. JENNINGS,
Chief Clerk.

TUESDAY, JANUARY 11, 1887.

MORNING SESSION.

HOUSE OF REPRESENTATIVES,
SALEM, January 11, 1887. }

House called to order at 10 A. M., the Speaker in the chair.

Prayer by Rev. J. T. Chambers of Salem.

The roll was called and all the members were present except Chas. Lafollett, who was absent on leave.

Mr. Paulsen introduced

HOUSE JOINT MEMORIAL NO. 1.

WHEREAS, The election of United States Senators by the legislatures of the different States is the cause of much contention and strife and even corruption or at least charges thereof, and also retarding and hindering other business coming before such legislative assemblies; and,

WHEREAS, There is no reason why such United States Senators should not be elected in the same manner as the Representatives to congress, but many reasons for a change or amendment to the United States constitution that would provide for an election of United States Senators by a direct vote of the people; therefore, be it

Resolved, That our United States Senators are requested to use all honorable means toward an amendment of the constitution of the United States that will authorize the election of United States Senators by a direct vote of the people.

Be it further resolved, That the Secretary of State be and he is hereby instructed to forward to each Senator from the State of Oregon at Washington, D. C., a copy of these resolutions.

On motion, ordered printed.

Mr. Harrington moved to refer the memorial to the judiciary committee.

Carried.

On motion of Mr. Benjamin, a committee consisting of Messrs. Benjamin, Johnson and R. A. Miller was appointed to wait on the Governor and notify His Excellency that the house is ready to receive messages from him.

On motion of Mr. Bilyeu, the house notified the Chief Clerk to notify the President of the senate that the house is ready to receive the senate in joint session.

On motion of Mr. Bilyeu, Hon. R. B. Cochran was invited within the bar.

On motion of Mr. Daly, Hon. W. D. Fenton was invited within the bar.

Mr. Paulsen moved that all ex-members of the house be invited within the bar.

Mr. Goodsell moved to amend by adding members' wives and daughters.

Amendment carried.

Motion as amended adopted.

Mr. Goodsell introduced

RESOLUTION NO. 1.

Resolved, That the correspondents and reporters of the various newspapers of the State be invited to seats within the bar and furnished with stationery.

On motion of Mr. Summers, adopted.

Mr. Goodsell introduced

HOUSE RESOLUTION NO. 2.

Resolved, That the Secretary of State is hereby authorized to furnish each member of this house a copy of the general laws of the State of Oregon, as compiled by M. P. Deady and Lafayette Lane, a copy of the house and senate journals of the last regular and special sessions, and a copy of the laws of the last general and special sessions.

Adopted on motion of Mr. Bilyeu.

The committee appointed to wait on the Governor reported the Governor absent at the time of their visit.

Further time granted.

Mr. Harris introduced

HOUSE RESOLUTION NO. 3.

Resolved, That the Secretary of State be instructed to furnish each member with postage stamps to the amount of three dollars.

Amended by Mr. Bilyeu to include wrappers, one dollar's worth.

On motion of Mr. Paulsen, adopted.

Mr. McLean introduced

HOUSE JOINT RESOLUTION NO. 1.

[For full text of house joint resolution No. 1 see house journal January 26, 1887.]

On motion of Mr. Benjamin, house ordered same printed.

Mr. Roberts introduced

HOUSE CONCURRENT RESOLUTION NO. 1.

Resolved by the House, the Senate concurring:

That a committee of three from the house and two from the senate be appointed to examine into the affairs of the State insane asylum.

Adopted on motion of Mr. Harrington and ordered printed.
Mr. Summers introduced

HOUSE RESOLUTION NO. 4.

Resolved, That each member of this house be furnished three copies of such daily papers as they may select during the term of the session.

Mr. Harrington moved to amend by striking out three and inserting four.

Mr. Paulsen moved to amend by adding daily or weekly.

Amendments adopted.

Resolution adopted as amended.

Mr. Bowditch introduced

HOUSE RESOLUTION NO. 5.

Resolved, That the Secretary of State be requested to have one hundred and fifty copies of the rules of the house printed for the use of the members of the house of representatives.

On motion of Mr. Noyer, adopted.

INTRODUCTION AND FIRST READING OF BILLS.

The following bills were introduced:

Mr. McLean introduced house bill No. 1, to create State board of charities and corrections and to prescribe its duties.

Mr. Goodsell introduced house bill No. 2, to authorize county courts to build armories in cities of over ten thousand inhabitants.

Mr. McCully introduced house bill No. 3, to create the county of Wallowa and to fix the salaries of county judge and treasurer.

Mr. Bilyeu introduced house bill No. 4, to support in aid of university of Oregon and to provide for free tuition therein and to repeal, etc., Acts in conflict.

Mr. Noyer introduced house bill No. 5, to create a road law and repeal all laws in conflict therewith.

Mr. Hale introduced house bill No. 6, to amend sections 43 and 44, title 4, of school laws of Oregon.

Mr. Mitchell introduced house bill No. 7, to redistrict the State of Oregon into senatorial districts, and to fix the numbers of Senators and Representatives in the legislative assembly.

Mr. Daly introduced house bill No. 8, to permanently locate, regulate and maintain a State normal school.

Mr. Munger introduced house bill No. 9, to allow construction of bridge across Willamette river at Portland.

Mr. Benjamin introduced house bill No. 10, to amend the Act of October 17, 1878, relating to the election and salary of Supreme and Circuit Judges.

Mr. McLean introduced house bill No. 11, to amend section 3 of an Act approved October 18, 1877, providing for selection, location and sale of State lands.

Mr. Bowditch introduced house bill No. 12, to provide for the time and places of holding the circuit courts in the first judicial district.

Mr. Daly introduced house bill No. 13, to amend section 14, title 1, chapter 28, criminal laws of Oregon of 1874, as amended October 17, 18—, relating to selling and giving liquor to minors.

Mr. Wilcox introduced house bill No. 14, prescribing the times and places of holding the terms of the circuit court in the seventh judicial district.

Mr. McLean introduced house bill No. 15, for the relief of Klamath county.

Mr. Noyer introduced house bill No. 16, to amend section 3, chapter 24, laws of Oregon compiled 1874, on foreign corporations doing business in this State.

Mr. Bilyeu moved that house bill No. 1 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Bowditch, Bilyeu, Biggs, Blevins, Culver, Crockett, Davis, Daly, Gard, Gay, Holland, Hale, Henry, Hicks, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, A. M. Lafollett, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCulley, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Vanderpool, Wilson, Wilcox, Mr. Speaker—51.

Nays—Messrs. Blundell, Gubser, Goodsell, Hansard, Harris, Paulsen—6.

Absent—Messrs. Crook, Charles Lafollett, Taylor—3.

So the rules were suspended and house bill No. 1 was read first time by title only.

R. A. Miller introduced

HOUSE CONCURRENT RESOLUTION NO. 2.

Resolved by the House, the Senate concurring:

That a committee of three on the part of the house and two on the part of the senate be appointed to inform His Excellency the Governor that both houses are now organized and ready to receive any communication he has to make.

And the same is herewith transmitted to the senate.

On motion of Mr. Miller, adopted.

Mr. Johnson introduced

HOUSE CONCURRENT RESOLUTION NO. 3,

As follows:

Resolved by the House, the Senate concurring:

That the senate meet the house in joint convention in this chamber at the hour of 3 P. M. for the purpose of canvassing the vote for Governor.

Adopted.

Mr Benjamin gave the following

NOTICE.

I give notice that on to-morrow or on some future day I shall introduce a bill to protect the people of the State of Oregon against empiricism.

Also a bill to protect the people of Oregon against unfair adjustment of losses by insurance companies.

(Signed)

W. F. BENJAMIN.

Mr. Goodsell gave notice as follows:

I hereby give notice that I will introduce a bill for the incorporation of the town of Albina.

(Signed)

DAVID GOODSSELL.

Mr. Roberts introduced

HOUSE CONCURRENT RESOLUTION NO. 6.

Resolved by the House, the Senate concurring:

That a committee of five consisting of two senators and three representatives be appointed to examine the books of the State Treasurer.

Adopted.

House bills Nos. 2, 3, 4, 5 and 6 were read in full first time.

Mr. Biggs, by unanimous consent, introduced house bill No. 17, to extend the capitol grounds.

Mr. Laughlin introduced house bill No. 18, to relocate the county seat of Yamhill county.

R. A. Miller introduced

HOUSE CONCURRENT RESOLUTION NO. 7.

Resolved by the House, the Senate concurring :

That a committee of two on the part of the house and a like committee on the part of the senate be appointed to report joint rules for the government of the two houses.

Adopted.

Speaker appointed R. A. Miller and Mr. Wilson.

On motion of Mr. McKenzie, the house adjourned till 2 P. M.

AFTERNOON SESSION.

House called to order at 2 P. M., Speaker in the chair.

The roll was called and all members were present except Messrs. Lafollett of Yamhill and Paulsen.

Mr. Roberts introduced house bill No. 19, to incorporate the town of Myrtle Point, Oregon.

Mr. Pomeroy introduced

HOUSE CONCURRENT RESOLUTION NO. 8.

Resolved by the House, the Senate concurring :

That a joint committee consisting of three from the house and two from the senate be appointed to examine the books and accounts of the office of Secretary of State and of the board of land commissioners and to report to both houses, and that said committee be authorized to employ a competent accountant and such other clerical assistance as may be found necessary.

Adopted.

Mr. Mayer introduced house bill No. 20, to amend section 5 of an Act entitled an Act to provide for the election of Supreme and Circuit Judges.

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Mr. Culver introduced house bill No. 21, to provide for the extermination of noxious weeds and to repeal chapter 61, general laws of Oregon.

Mr. Goodsell introduced house bill No. 22, to incorporate the city of Albina in Multnomah county, Oregon.

Mr. Daly introduced house bill No. 23, to amend subdivision 1, section 17 of the school laws of Oregon of October 29, 1872, and providing text-books in common schools, etc.

Mr. Daly introduced house bill No. 24, to repeal an Act entitled an Act to provide for the appointment of a board of immigration commissioners and appropriating money.

Mr. Roberts introduced house bill No. 25, to authorize the Coos County Transportation Company to construct locks and tide gates.

Mr. Gay introduced house bill No. 26, to incorporate the town of Heppner, county of Morrow.

Mr. Goodsell introduced house bill No. 27, to fix the salary of assessor of Multnomah county.

Mr. Biggs introduced house bill No. 28, to redistrict the State into senatorial and representative districts and fixing the number of Senators and Representatives in the legislative assembly.

Mr. Bowditch introduced house bill No. 29, to incorporate the city of Ashland in Jackson county, to define and regulate the exercise of its powers, and to repeal an Act of the legislature of the State of Oregon, approved February 24, 1885, and all Acts amendatory thereof.

Mr. Summers introduced house bill No. 30, for the more efficient organization and discipline of the militia of the State of Oregon.

Mr. McCully introduced house bill No. 31, a bill for an Act to incorporate the town of Joseph in Union county, Oregon.

Mr. Wilson introduced house bill No. 32, a bill to amend an Act entitled an Act to amend an Act entitled an Act to incorporate the city of Portland, approved November 25, 1885.

Mr. McLean introduced house bill No. 33, for an Act to amend sections 9 and 10 of an Act entitled an Act to create the county of Klamath and fix the salaries of county judge and treasurer, approved October 17, 1882.

Mr. Goodsell introduced house bill No. 34, to amend sections 17, 18 and 29 of chapter 64 of the miscellaneous laws of Oregon.

The Speaker announced as committee on part of the house to examine affairs of the Treasurer, Messrs. Roberts, McCully and Mayer.

Mr. McLean introduced

HOUSE CONCURRENT RESOLUTION NO. 5.

Resolved by the House, the Senate concurring:

That a special committee of four members from the house and three from the senate be appointed as the joint committee on assessment and taxation.

Adopted on motion of Mr. Roberts.

Mr. Summers introduced

HOUSE RESOLUTION NO. 9.

Resolved, That the Speaker procure a reading clerk for the house, whose duty shall be to read all bills and resolutions and that said clerk shall be of good vocal ability.

On motion, amended by saying the clerk shall be removed at the will of the Speaker.

Amendment adopted.

Resolution as amended adopted.

House bill No. 7 read first time.

Mr. Paulsen gives the following

NOTICE.

Mr. Speaker: I desire to give notice that to-morrow or at some future day I will introduce a bill to amend an Act entitled "An Act to prevent deception in sales of dairy products."

THOMAS PAULSEN.

House bill No. 8 read first time.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, January 11, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has adopted senate concurrent resolution No. 1, that the two bodies meet in joint convention Wednesday, January 12, 1887, at the hour of 10:30 o'clock A. M. to canvass the vote for Governor.

And the same is herewith transmitted for the consideration of the house.

E. G. HURSH,
Chief Clerk.

On motion senate concurrent resolution No. 1 was concurred in.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, January 11, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has concurred in house concurrent resolution No. 7, calling for a joint committee on rules, the committee appointed on the part of the senate consisting of Hon. J. C. Carson and Hon. J. K. Weatherford.

And the same is herewith returned to the house.

E. G. HURSH,
Chief Clerk.

Mr. Bowditch gives notice that he will introduce a bill entitled an Act to locate, regulate and maintain a State normal school at Ashland.

House bill No. 9 was read a first time.

Mr. Gard moved that house bill No. 5 be read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—56.

Noes—None.

Absent—Messrs. Benjamin, Johnson, Lafollett of Yamhill and Miller of Jackson—4.

So the rules were suspended and house bill No. 5 was read the first time by title only.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, January 11, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has refused to concur with house concurrent resolution No. 3.

And the same is herewith returned to the house.

E. G. HURSH,
Chief Clerk.

House bill No. 10 read first time.
 House bill No. 11 read first time.
 House bill No. 12 read first time.
 House bill No. 13 read first time.
 House bill No. 14 read first time.
 House bill No. 15 read first time.
 House bill No. 16 read first time.
 House bill No. 17 read first time.
 House bill No. 18 read first time.

The committee appointed to wait on the Governor submitted the following

REPORT.

To the Honorable Speaker and Members of the House of Representatives :

Your committee on the part of the house to act with a like committee on the part of the senate to wait upon Governor Moody and inform him of the readiness to receive any message he might wish to make, respectfully report that in concurrence with the committee on the part of the senate have informed His Excellency of your order, and that he signified his desire to meet the legislature in joint convention on Wednesday, January 12, 1887, at the hour of 10 o'clock A. M.

W. F. BENJAMIN,
 Chairman Committee.

Mr. Roberts moved that house bill No. 19 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—57.

Nays—None.

Absent—Messrs. Bilyeu, Lafollett of Marion, Lafollett of Yamhill—3.

House bill No. 19 read first time by title.

On motion of Mr. Roberts, house bill No. 19 was ordered not printed.

House bill No. 20 read first time.

House bill No. 21 read first time.

Mr. Goodsell moved suspension of rules and house bill No. 22 be read the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lafollett of Marion, Layman, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—55.

Nays—None.

Absent—Messrs. Lockett, Lafollett of Yamhill, Laughlin, Little, Stafford—5.

Rules suspended and house bill 22 read first time by title only.

The Speaker called Mr. Roberts to the chair.

House bill No. 23 was read first time.

House bill No. 24 was read first time.

House bill No. 25 was read first time.

Mr. Gay moved the rules be suspended and house bill No. 26 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox—55.

Nays—None.

Absent—Messrs. Crook, Culver, Lafollett of Marion, Lafollett of Yamhill, Mr. Speaker—5.

So the rules were suspended and house bill No. 26 was read first time by title only.

On motion of Mr. Gay house bill No. 26 ordered not printed.

Mr. Daly introduced

HOUSE RESOLUTION NO. 10.

Resolved, That the sessions of this house be held as follows: From 9 o'clock A. M. till 12 o'clock M., and from 1:30 P. M. until 5 o'clock P. M. of each day, this resolution to take effect on Thursday, January 13, 1887.

House bill No. 27 read first time.

Mr. Speaker resumed chair.

On motion of Mr. Summers, house adjourned till 10 A. M. January 12, 1887.

WEDNESDAY, JANUARY 12, 1887.

MORNING SESSION.

HOUSE OF REPRESENTATIVES,
SALEM, January 12, 1887. }

House called to order at 10 A. M., the Speaker in the chair.

Prayer by Rev. M. L. Rugg of Salem.

The roll was called and all the members were present except Mr. Charles Lafollett.

On motion of Mr. Goodsell, the reading of the journal of yesterday was dispensed with.

Mr. Daly, by consent, introduced the following.

HOUSE CONCURRENT RESOLUTION NO. 10.

Resolved by the House, the Senate concurring :

1. That our members of both houses of congress are hereby instructed to support the interstate commerce bill now on its passage at Washington as modified by the conference committee.

2. That the Clerk of the house be instructed to transmit to our Senators and Representatives in congress a copy of this resolution.

Which, upon his motion, was adopted.

Mr. Paulsen moved in writing to transfer and change the title of house joint memorial No. 1 to house joint resolution No. 6, but not otherwise change any action taken on the motion.

The change was adopted.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, January 11, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has concurred in house concurrent resolution No. 2, and the President has appointed Messrs. Chamberlin and Coleman as members of the committee to wait on the Governor.

And the same is herewith returned to the house.

E. G. HURSH,
Chief Clerk.

Mr. Speaker announced as committee under house concurrent resolution No. 2 on the part of the house, Messrs. R. A. Miller, A. M. Lafollett and Wilson.

Mr. Richardson introduced

HOUSE RESOLUTION NO. 11.

Resolved, That the morning session of each day be opened with prayer and that the Sergeant-at-Arms be instructed to invite the clergy of the State to officiate.

Adopted on motion of Mr. Mayer.

Mr. Daly introduced

HOUSE RESOLUTION NO. 12.

Resolved, That the Speaker of the house be instructed to telegraph to our Senators at Washington a copy of the resolutions just passed by the house on the interstate commerce bill, and numbered house concurrent resolution No. 10.

Adopted.

Mr. Mitchell introduced

HOUSE CONCURRENT RESOLUTION NO. 11.

Be it resolved by the House of Representatives of the State of Oregon, the Senate concurring:

That the joint committee appointed to count the funds in the hands of the State Treasurer be and they are hereby instructed to report the amount of the undiminishable school fund of the State now on hand and the amount on hand at the first of each month during the last year, and also to report the number of applications

to borrow money from said fund during the last year, the number and amount of loans made, and the number of applications rejected during the same period, and to ascertain and report the grounds of their rejection.

On motion the resolution was adopted.

By unanimous consent the following bills were introduced :

Mr. Hale introduced house bill No. 35, an Act to amend an Act entitled an Act to amend section 28, title 3 of chapter 4 of miscellaneous laws of Oregon, compiled by M. P. Deady and Lafayette Lane.

Mr. Biggs introduced house bill No. 36, for an Act entitled an Act to regulate the charges for transportation of freight by railroad corporations doing business within the State of Oregon.

Mr. Bilyeu introduced house bill No. 37, an Act to provide for licensing freight corporations or companies doing business within this State.

Mr. Bowditch introduced house bill No. 38, an Act to incorporate the town of Medford and to repeal an Act approved February 24, 1885.

Mr. Harrington introduced house bill No. 39, a bill relating to property exempt from execution.

Mr. Crockett introduced house bill No. 40, to create the county of Tum-a-Lum and to fix salaries of county judge and treasurer thereof.

Mr. Smith introduced house bill No. 41, for an Act providing for clearing creeks and other small streams from driftwood and other obstructions in this State and for the creation of drainage districts.

Mr. Smith introduced house bill No. 42, an Act to amend section 525 of chapter 2, also to amend section 647 of chapter 7 of the criminal code of the State of Oregon as compiled by M. P. Deady and Lafayette Lane.

Mr. Wilson introduced house bill No. 43, an Act to provide for kindergartens as a part of the public school system, and to amend section 46 of chapter 4 of the miscellaneous laws of Oregon as compiled by M. P. Deady and Lafayette Lane as amended by an Act entitled an Act to amend sections 8, 10, 11, 12, 25, 34, 37, 43 and 46 of chapter 4 of the miscellaneous laws of Oregon, pertaining to common schools, approved October 18, 1878.

Mr. Lockett introduced house bill No. 44, a bill for an Act for the selection and sale of State lands remaining unsold.

Mr. Johnson introduced house bill No. 45, an Act to amend an Act entitled an Act to amend an Act entitled an Act to regulate the salaries of county treasurers in the State of Oregon, approved November 24, 1885.

Mr. Roberts introduced house bill No. 46, to provide for a bounty on certain wild animals.

Mr. McCully introduced house bill No. 47, to provide for the improvement of the Wallowa canyon wagon road and to appropriate money.

Mr. McCully introduced house bill No. 48, to legalize certain county roads of the State of Oregon.

Mr. McLean introduced house bill No. 49, to prohibit the collection of accounts for liquors sold by retail.

Mr. Roberts introduced house bill No. 50, to appropriate money to aid the county commissioners of Coos and Douglas counties to construct a wagon road on the middle fork of the Coquille river in Coos and Douglas counties, Oregon.

Mr. Roberts introduced house bill No. 51, for an Act to change the name of the town of Averill.

Mr. Gay introduced house bill No. 52, for an Act to amend an Act to create the county of Morrow and to fix the salaries of county judge and treasurer.

Mr. Crockett introduced house bill No. 53, to amend section 3, title 1, chapter 50 of the code of Oregon.

Mr. Daly introduced house bill No. 54, for an Act to regulate and tax fire insurance companies doing business in this State.

JOINT CONVENTION.

The senate was announced.

President Carson took the chair and the houses went into joint convention to canvass the vote for Governor.

The roll was called by Mr. Hursh, Chief Clerk of the senate, with the following result:

All the members of the joint convention were present except Messrs. Lafollett of Yamhill, Miller of Linn, and Wager.

The Speaker submitted the following communication which was read:

COMMUNICATION.

To the Honorable J. T. Gregg, Speaker of the House of Representatives:

SIR: I have the honor to transmit herewith the official returns of the vote cast in the several counties of this State on the 7th day of June, 1886, for Governor of the State of Oregon.

Very respectfully,

Your obedient servant,

GEO. W. McBRIDE,

Secretary of State.

Senator Weatherford moved that two tellers, one from the senate

and one from the house, be appointed to assist in counting the vote for Governor.

Adopted.

President Carson appointed as such tellers Senator Hare and Representative Mitchell.

The Speaker opened the certificates of the vote and announced the count to the Clerks with the result of the following vote by counties:

COUNTIES.	T. R. COR- NELIUS.	SYLVESTER PENNOYER.	J. E. HOU- STON.	MISCELLANEOUS.
Baker	799	1,124	42	
Benton	905	1,013	152	
Clackamas	1,081	1,294	150	
Clatsop	731	1,002	85	
Columbia	345	359	30	
Coos	792	694	83	
Curry	206	189	9	
Crook	515	529	40	
Douglas	1,088	1,095	274	
Grant	715	863	28	
Gilliam	476	533	27	Williams—1.
Jackson	838	1,275	103	
Josephine	429	500	10	
Klamath	267	326	1	
Lake*	185	289	17	
Lane	1,290	1,349	89	
Linn	1,331	1,712	164	
Marion	1,938	1,622	386	
Multnomah	3,281	4,261	351	{ Henry Failing—1 C. H. Lewis—1 B. Herman—1.
Morrow	529	769	81	
Polk	767	818	138	
Tillamook	246	177	23	
Umatilla	1,154	1,518	124	
Union	1,356	1,578	8	
Wasco	989	1,105	134	
Washington	1,002	825	93	Blank—1.
Yamhill	1,144	1,082	85	
Total	24,199	27,901	2,727	

*Not certified. No objection being made vote for Lake was counted.

Mr. Speaker: We find Mr. S. Pennoyer has received 27,901 votes for office of Governor, and that T. R. Cornelius has received 24,199 votes for office of Governor, and that J. E. Houston has received 2,727 votes for office of Governor. Recapitulation—Pennoyer, 27,901; Cornelius, 24,199; Houston, 2,727.

WILLIAM D. HARE,
S. U. MITCHELL,

Tellers.

The Speaker announced the vote and declared Sylvester Pennoyer duly elected Governor for the ensuing four years.

Mr. Goodsell offered the following

JOINT RESOLUTION.

Mr. President: I move you that a committee of two be appointed, one from senate and one from house, to await upon His Excellency Governor-elect Hon. Sylvester Pennoyer to inform His Excellency that the legislative assembly of the State of Oregon have met in joint convention and that the Speaker of the house has canvassed the vote and declared the vote thereof; that the legislative assembly of the State of Oregon is assembled to witness His Excellency's inauguration and to receive any message.

On motion adopted.

Representative Goodsell and Senator Weatherford appointed by the Speaker.

Senator H. B. Miller moved a committee of two wait on Governor Moody and inform him that the joint convention awaits his pleasure.

Adopted.

President appointed Messrs. Miller of Josephine and Davis of Benton.

President instructed the Doorkeepers to notify members of supreme court to meet with joint convention to administer oath and witness inaugural of Governor-elect Pennoyer.

On motion a committee of two was ordered to wait on retiring and newly-elected Secretaries of State and Treasurer and invite them to meet with the joint convention.

President appointed Senator Rinehart and Representative Roberts.

Supreme bench of Oregon announced, followed by committee with retiring Governor Moody, followed by committee accompanying Governor-elect Sylvester Pennoyer.

The officials having been accommodated with seats on the Speaker's platform, President Carson introduced Governor Moody who delivered his biennial and retiring address, after which Chief Justice Lord of the Oregon supreme bench administered the oath of office to Governor-elect Pennoyer, after which retiring Governor Moody introduced to the convention Governor Sylvester Pennoyer.

By the desire of Governor Pennoyer the convention remained seated to hear his inaugural address which he then read.

At 1:56 P. M., on motion of Senator Siglin, the joint convention dissolved.

Senate retired to senate chamber after which, on motion of Mr. Summers, the house adjourned till 10 A. M. to-morrow, January 13.

THURSDAY, JANUARY 13, 1887.

MORNING SESSION.

HOUSE OF REPRESENTATIVES, }
SALEM, January 13, 1887. }

The house was called to order at 10 A. M., Speaker in the chair.
Prayer by Rev. R. N. Hill of Salem.

The roll was called and all the members were present except Messrs. Holland, Hale, Lafollett of Yamhill, and Paulsen, who were absent.

The journal of yesterday was read, corrected and approved.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, January 18, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has concurred in house concurrent resolution No. 6, for a joint committee of five, two on the part of the senate and three on the part of the house, to examine the books of the State Treasurer, and the President has appointed as members of such committee Messrs. Shupe and Siglin.

And the same is herewith returned to the house.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, January 12, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has concurred in house concurrent resolution No. 1, providing for the appointment of a committee of three from the house and two from the senate to examine into the affairs of the State insane asylum.

The President has appointed on that committee Messrs. Chamberlin and Stanley.

And the same is herewith returned to the house.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, January 12, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has concurred in house concurrent resolution No. 8, that a joint committee of three from the house and two from the Senate be appointed to examine the books and accounts of the Secretary of State and board of land commissioners and report to both houses.

The President has appointed as members of such committee Messrs. Steel and Coleman.

And the same is herewith returned to the house.

E. G. HURSH,
Chief Clerk.

The Speaker announced as committees on the part of the house for examining affairs of the asylum, Messrs. Roberts, Wilson and Holmes; to examine affairs of Secretary of State, Messrs. Pomeroy, Harris and R. A. Miller.

By consent the following bills were introduced:

By Mr. Roberts. House bill No. 55, to declare forfeited to the State certain swamp and overflowed lands.

By Mr. Crook. House bill No. 56, an Act relating to sheriffs' fees so as to include Coos and Curry counties.

By Mr. Johnson. House bill No. 57, to reimburse Grant county, Oregon.

By Mr. Paulsen. House bill No. 58, to amend an Act to regulate the transportation of passengers and freight by railroad corporations.

By Mr. Blundell. House bill No. 59, to amend laws establishing uniform course of instruction in public schools.

By Mr. Benjamin. House bill No. 60, to amend law establishing uniform course of public instruction.

By Mr. Mayer. House bill No. 61, to amend section 54 of the school laws of Oregon.

By Mr. Thompson. House bill No. 62, for an Act to establish State reform school for boys.

By Mr. Mitchell. House bill No. 63, to incorporate the town of Grant's Pass in Josephine county, Oregon.

By Mr. Daly. House bill No. 64, to amend section 3, title 1, chapter 50, miscellaneous laws of Oregon.

By Mr. Daly. House bill No. 65, to license dogs, declaring them public property, etc.

By Mr. Holland. House bill No. 66, to create the county of Mal-

hour in the State of Oregon, and fix salaries of judge and treasurer.

By Mr. Holland. House bill No. 67, to appropriate money to aid the commissioners of Baker county to construct a bridge across the Owyhee river.

By Mr. Mayer. House bill No. 68, to provide for the protection of banks of unnavigable streams.

By Mr. Wilcox. House bill No. 69, to amend section 1 of an Act to create Gilliam county and to fix salaries of county judge and treasurer thereof.

By Mr. Little. House bill No. 70, for an Act to amend sections 546 and 547 of title 5, chapter 3, civil code of Oregon.

By Mr. Davis. House bill No. 71, to quiet title of land in possession of certain settlers in Benton county, Oregon.

By Mr. Blundell. House bill No. 72, to amend amended school laws of Oregon.

By Mr. Bilyeu. House bill No. 73, to amend section 1 of an Act to create roads of public easement, approved October 20, 1876.

By Mr. Mayer. House bill No. 74, to regulate the salmon fisheries of Oregon.

Mr. Daly introduced

HOUSE CONCURRENT RESOLUTION NO. 12.

Resolved by the House, the Senate concurring :

That a joint committee of four members of the house and three members of the senate be appointed to inspect the working of the State normal school at Monmouth and examine the property proposed to be given to the State for normal school purposes.

Adopted on motion of Mr. Roberts.

Mr. Benjamin introduced

HOUSE JOINT RESOLUTION NO. 2.

Resolved, That a committee of nine be appointed, six from the house and three from the senate, to take under advisement and recommend the basis for redistricting the senatorial and representative districts of the State and report at as early a date as practicable.

Mr. Roberts moved to adopt.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Daly, Gard, Gubser, Goodsell, Gay, Holland, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin,

Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—57.

Nays—None.

Absent—Messrs. Davis, Hale, Lafollett of Yamhill—3.

So house joint resolution No. 2 was adopted.

House bill No. 28 read first time.

Mr. Bowditch moved house bill No. 29 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Daly, Gard, Gubser, Goodsell, Gay, Holland, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Little, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—56.

Nays—None.

Absent—Messrs. Davis, Hale, Lafollett of Yamhill, Mayer—4.

So the rules were suspended and house bill No. 29 was read first time by title only.

Mr. Bilyeu introduced house bill 75, to limit time of enforcing judgments.

Mr. Biggs introduced house bill No. 76, to amend the assignment law.

On motion of Mr. Bowditch house bill No. 29 was ordered not printed.

Mr. Summers moved house bill No. 30 be read first time by title only under suspension of the rules.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richard-

son, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—58.

Nays—None.

Absent—Hale and Lafollett of Yamhill—2.

So the rules were suspended and house bill No. 30 was read first time by title only.

Mr. Noyer moved to suspend the rules and read house bill No. 31 first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Henry, Hansard, Hicks, Harris, Harrington, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—57.

Nays—None.

Absent—Messrs. Hale, Holmes, Lafollett of Yamhill—3.

So the rules were suspended and house bill No. 31 was read first time by title only.

On motion of Mr. Noyer, house bill No. 31 was ordered not printed.

Mr. Laughlin asked leave of absence for Mr. Lafollett of Yamhill. Granted.

Mr. McCully moved to suspend rules and read house bill No. 31 the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Henry, Hansard, Hicks, Harrington, Holmes, Haley, Johnson, Kruse, Lafollett of Marion, Layman, Laughlin, Little, Mayer, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—52.

Nays—Messrs. Benjamin, Blundell, Harris, Lockett, Maxwell—5.

Absent—Messrs. Hale, Lafollett of Yamhill, Noyer—3.

So the rules were suspended and the bill read second time by title only.

Mr. McCully moved that house bill No. 31 be referred to committee on incorporation and not printed.

Carried.

House bill No. 32 read first time.

House bill No. 33 read first time.

House bill No. 34 read first time.

House bill No. 35 read first time.

House bill No. 36 read first time.

House bill No. 37 read first time.

Mr. Bowditch moved the rules be suspended and house bill No. 38 be read first time by title only.

(On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Little, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—57.

Nays—None.

Absent—Messrs. Hale, Lafollett of Yamhill, Mayer—3.

So the rules were suspended and house bill No. 38 read first time by title.

On motion of Mr. Bowditch, house bill No. 38 was ordered not printed.

House bill No. 39 was read first time.

Mr. Summers moved ex-Governor Woods be invited to a seat within the bar.

Carried.

House bill No. 40 was read first time.

Messrs. Mackay and Goodsell were excused till Monday morning.

Mr. Smith moved the suspension of the rules to allow house bill No. 41 to be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendle-

ton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—57.

Nays—None.

Absent—Messrs. Hale, Lafollett of Marion, Lafollett of Yamhill—3.

So the rules were suspended and house bill No. 41 was read first time by title.

Mr. Paulsen introduced house bill No. 77, to amend an Act for securing liens for mechanics, laborers, material men and others and prescribing the manner of enforcement.

On motion of Mr. Summers, house adjourned till 1:30 P. M.

AFTERNOON SESSION.

House called to order at 1:30 P. M., the Speaker in the chair.

Roll called, and those absent were Messrs. Benjamin, Biggs, Goodsell, Hale, Lafollett of Yamhill, Miller of Jackson, Mackay, Palmer and Paulsen.

Mr. Noyer introduced house bill No. 78, to amend an Act entitled "An Act to provide for the custody and treatment of the insane."

Mr. Mayer introduced

HOUSE JOINT RESOLUTION NO. 3.

Resolved, That a committee of three on the part of the house and two on the part of the senate be appointed to investigate the manner in which the fish ladder at the falls of the Willamette at Oregon City was built, the actual cost of its construction and the manner in which the money appropriated by the State of Oregon for the purpose was expended, and that the committee have power to send for persons and papers, to administer oaths and report their findings, together with the evidence to the respective houses, and that the same be published with the proceedings.

Mr. Mayer moved its adoption.

On motion of Mr. Summers, house joint resolution No. 3 was amended to read "one from the senate and two from the house."

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay,

Holland, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lafollett of Marion, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—57.

Nays—None.

Absent—Messrs. Hale, Lafollett of Yamhill, Mackay—3.

So the resolution was adopted.

On motion of Mr. Harrington, the house ordered that one thousand copies each of Gov. Moody's address and Gov. Pennoyer's inaugural be printed for the use of the house.

Mr. Smith moved that the rules be suspended and house bill No. 42 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Gay, Holland, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—56.

Nays—None.

Absent—Messrs. Goodsell, Hale, Johnson, Lafollett of Yamhill—4.

So the rules were suspended and house bill No. 42 was read first time by title only.

The Speaker called Mr. Benjamin to the chair.

House bill No. 43 read first time.

House bill No. 44 read first time.

House bill No. 45 read first time.

House bill No. 46 read first time.

The Speaker resumed the chair.

House bill No. 47 read first time.

House bill No. 48 read first time.

House bill No. 49 read first time.

House bill No. 50 read first time.

House bill No. 51 read first time.

Mr. Gay moved to suspend the rules and read house bill No. 52 by title first time.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Gay, Holland, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—56.

Nays—None.

Absent—Messrs. Goodsell, Hale, Lafollett of Marion, Lafollett of Yamhill—4.

So the rules were suspended and house bill No. 52 was read first time by title only.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, January 13, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has amended house concurrent resolution No. 12 by inserting three instead of four and two instead of three in said resolution.

And I herewith return to the house said house concurrent resolution No. 12.

E. G. HURSH,
Chief Clerk.

On motion of Mr. Daly, the house concurred in senate amendments to house concurrent resolution No. 12.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, January 13, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has amended house concurrent resolution No. 10 so as to instruct our United States Senators and request our Representative in congress to support the interstate commerce bill, and that the Secretary of State be instructed to transmit said resolution herewith transmitted.

And I herewith also return the original of house concurrent resolution No. 10 for the consideration of the house.

E. G. HURSH,
Chief Clerk.

On motion of Mr. Bilyeu, the house concurred in senate amendment to house concurrent resolution No. 10.

The committee appointed by the Speaker to confer with like committee on rules reported as follows:

REPORT.

Mr. Speaker: We your committee on the part of the house to confer with a like committee on the part of the senate to frame joint rules regulating the transaction of business between the two houses, respectfully report that upon conference with the senate committee we have agree upon the joint rules of the last regular session of the legislative assembly, and we recommend the adoption of the same by the house.

Respectfully submitted,

R. A. MILLER,
JOHN WILSON.

On motion of R. A. Miller, the report was adopted.

House bill No. 53 read first time.

House bill No. 54 read first time.

House bill No. 55 read first time.

House bill No. 56 read first time.

House bill No. 57 read first time.

House bill No. 58 read first time.

Mr. Blundell moved that the rules be suspended and house bill No. 59 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Gay, Holland, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—55.

Nays—None.

Absent—Messrs. Goodsell, Hale, Lafollett of Yamhill, Mackey, Thompson—5.

So the rules were suspended and house bill No. 59 was read first time by title only.

Mr. Benjamin moved that house bill No. 60 be read first time by title under suspension of the rules.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bilyeu, Biggs, Blevins, Culver, Crockett, Daly, Gard, Gubser, Gay, Holland, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Mitchell, McLean, Munger, McKenzie, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Summers, Smith, Thompson, Taylor, Wilson, Wilcox, Mr. Speaker—51.

Nays—None.

Absent—Messrs. Bowditch, Crook, Davis, Goodsell, Hale, Lafollett of Yamhill, Miller of Linn, Mackay, Swank, Vanderpool.

So the rules were suspended and house bill No. 60 read first time by title only.

House bill No. 61 read first time.

Mr. Thompson moved to suspend the rules and allow house bill No. 62 to be read first time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Gay, Holland, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Wilson, Mr. Speaker—52.

Nays—None.

Absent—Messrs. Crook, Goodsell, Hale, Lafollett of Yamhill, Little, Mackay, Vanderpool, Wilcox—8.

So the rules were suspended and house bill No. 62 read the first time by title only.

Mr. Mitchell moved suspension of the rules to allow house bill No. 63 read a first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gubser, Gay, Holland, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Mitchell, McLean, Munger, McKenzie, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—55.

Nays—None.

Absent—Messrs. Gard, Goodsell, Hale, Miller of Linn, Mackay—5.

So the rules were suspended and house bill No. 63 was read first time by title only.

On motion of Mr. Mitchell, house bill No. 63 ordered not printed.

House bill No. 64 read first time.

House bill No. 65 read first time.

Mr. Holland moved suspension of rules to allow house bill No 66 read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Gay, Holland, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Mitchell, McLean, Munger, McKenzie, McCully, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Vanderpool, Wilson, Wilcox, Mr. Speaker—53.

Nays—None.

Absent—Messrs. Goodsell, Hale, Lafollett of Yamhill, Miller of Linn, Mackay, Noyer, Taylor—7.

So the rules were suspended and house bill No. 66 was read by title only.

House bill No. 67 read first time.

House bill No. 68 read first time.

Mr. Wilcox moved the rules be suspended and house bill No. 69 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Davis, Daly, Gard, Gubser, Gay, Holland, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, McCully, Noyer, Osborn, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—54.

Nays—None.

Absent—Messrs. Crockett, Goodsell, Hale, Lafollett of Yamhill, Mackay, Pomeroy—6.

So the rules were suspended and house bill No. 69 was read first time by title only.

House bill No. 70 read first time.

Mr. Bilyeu called to the chair.

House bill No. 71 read the first time.

Mr. Blundell moved the rules be suspended and house bill No. 72 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Gay, Holland, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, McCully, Noyer, Osborn, Palmer, Pendleton, Paulsen, Roberts, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—57.

Nays—None.

Absent—Messrs. Goodsell, Hale, Johnson, Lafollett of Yamhill, Mackay, Pomeroy, Richardson—7.

So the rules were suspended and house bill No. 72 was read first time by title only.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,)
SALEM, January 13, 1887.)

Mr. Speaker: I am directed by the President to inform you that the senate has adopted senate joint resolution No. 1, providing for the appointment of a joint committee of both houses consisting of five members from the senate and ten from the house to investigate the building of a canal or ship railway around the dalles of the Columbia and to examine the government works at the cascades of the Columbia, which said senate joint resolution No. 1 is herewith transmitted for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Mr. Palmer moved to adopt senate joint resolution No. 1.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hicks, Harris, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Mitchell, McLean, Munger, McKenzie, McCully, Noyer, Palmer, Pendleton, Paulsen, Roberts, Stafford, Summers, Thompson, Taylor, Wilcox, Mr. Speaker—45.

Nays—Messrs. Blevins, Henry, Hansard, Harrington, Miller of Linn, Osborn, Richardson, Swank, Smith, Vanderpool, Wilson—11.

Absent—Messrs. Hale, Lafollett of Yamhill, Mackay, Pomeroy—4.

So the house concurred in senate joint resolution No. 1.

Speaker Gregg resumed the chair.

House bill No. 73 read first time.

Mr. Mayer moved the rules be suspended and house bill No. 74 read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Gay, Holland, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, McCully, Noyer, Osborn, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—54.

Nays—None.

Absent—Messrs. Goodsell, Hale, Lafollett of Yamhill, Mackay, Pomeroy, Summers—6.

So the rules were suspended and house bill No. 74 read first time by title only.

House bill No. 75 read first time.

House bill No. 76 read first time.

The Chair appointed as the committee under senate joint resolution No. 1 on part of the house, Messrs. Palmer, Holland, Stafford, Smith, Harrington, Layman, Vanderpool, Haley, Mitchell, I. D. Miller.

House bill No. 77 read first time.

House bill No. 78 read first time.

House bill No. 79 read first time.

House bill No. 80 read first time.

House bill No. 81 read first time.

House bill No. 82 read first time.

Mr. Benjamin introduced

HOUSE RESOLUTION NO. 13.

Its adoption was moved, and on vote carried, as follows:

Resolved, That the Sergeant-at-Arms be authorized to furnish the officers of this house the same amount of postage stamps, wrappers and newspapers as allowed the members.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, January 13, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has adopted senate joint resolution No. 2, providing for the appointment of a committee to protect the fishing interests of the State.

SENATE JOINT RESOLUTION NO. 2.

Resolved by the Senate, the House concurring:

That there be appointed a joint committee of both houses to consist of two members of the senate and three from the house to devise ways and means to protect the large fishing industries of our State and report on the best methods of replenishing and increasing the product of our rivers by propagation, said committee to report by bill or otherwise.

And the same is herewith transmitted for the consideration of the House.

E. G. HURSH,
Chief Clerk.

Mr. Pomeroy moved its adoption.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Gay, Holland, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, McCully, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—53.

Nays—None.

Absent—Messrs. Goodsell, Hale, Henry, Hansard, Lafollett of Yamhill, Mackay, Noyer—7.

So senate joint resolution No. 2 was concurred in by the house.

House bill No. 83 read first time.

House bill No. 84 read first time.

House bill No. 85 read first time.

Mr. McLean introduced and Mr. Blundell moved the adoption of

HOUSE RESOLUTION NO. 14.

WHEREAS, There have been introduced in this house bills for the creation of new counties, wagon roads, bridges and reapportionment,

Be it resolved, That in order to enable the members to vote intelligently on all such bills that the Secretary of State be instructed to furnish each member of this house with a convenient map of the State of Oregon.

Carried.

Mr. Paulsen introduced

HOUSE CONCURRENT RESOLUTION NO. 13.

Resolved by the House, the Senate concurring:

That a joint committee consisting of three on the part of the house and two on the part of the senate be appointed to investigate the manner in which the printing for the State has been done during the past two years, and the said committee is hereby empowered to employ an expert to measure and report the amount of the various departments of the State work.

On motion of Mr. Kruse, adopted.

Mr. Mitchell introduced

HOUSE RESOLUTION NO. 15.

Be it resolved by the House of Representatives of the State of Oregon:

That the Honorable Secretary of State be requested to furnish the members of the house of representatives with the session laws of the State from the year 1874 to and including the year 1882.

Mr. Taylor informed the house that some of the above named session laws were not in print.

Mr. Bilyeu moved to suspend the rules and read house bill No. 86 first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Culver, Crockett, Davis, Daly, Gard, Gubser, Gay, Holland, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—53.

Nays—None.

Absent—Blevins, Crook, Goodsell, Hale, Lafollett of Yamhill, Mackay, McCully—7.

So the rules were suspended and H. B. No. 86 was read first time by title only.

On motion of Mr. Bilyeu the house adjourned to 9 A. M. tomorrow.

FRIDAY, JANUARY 14, 1887.

MORNING SESSION.

HOUSE OF REPRESENTATIVES,)
SALEM, January 14, 1887. }

House called to order at 9:30 A. M., the Speaker in the chair.

Prayer by Rev. J. Bowersox of Salem.

Roll called and those absent were Messrs. Davis, Goodsell, Hale, Hicks, Lafollett of Yamhill, Little, Miller of Jackson, McLean, Mackay, Osborn, Roberts, Taylor and Vanderpool.

Messrs. Hale, Davis, Osborn and Vanderpool absent on leave.

On motion of Mr. Daly, the reading of the journal of yesterday was dispensed with.

Messrs. I. D. Miller and Vanderpool asked to be excused from service upon the committee to visit the dalles and inspect the government works at the cascades, and the Chair appointed in their places Messrs. Taylor and Henry.

Mr. Thompson moved to reconsider the vote by which senate joint resolution No. 1 was adopted and spoke in favor of the motion.

Mr. Summers spoke against the reconsideration and in favor of senate joint resolution No. 1 as concurred in.

Mr. Bilyeu desired to see the motion reconsidered.

Mr. Paulsen desired to have the reconsideration.

Mr. Daly desired to reconsider and raise a smaller committee.

Mr. Munger considered that in view of the importance of the public interest at stake the committee of fifteen was none too large.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Bilyeu, Blevins, Crook, Culver, Crockett, Daly, Gard, Gubser, Henry, Hansard, Harris, Harrington, Holmes, Haley, Kruse, Lockett, Laughlin, Little, Mayer, Miller of Linn, McKenzie,

Nover, Paulsen, Richardson, Stafford, Swank, Smith, Thompson, Wilson—30.

Nays—Messrs. Blundell, Bowditch, Biggs, Gay, Holland, Hicks, Johnson, Lafollett of Marion, Layman, Maxwell, Miller of Jackson, Mitchell, McLean, Munger, McCully, Pomeroy, Palmer, Pendleton, Summers, Taylor, Wilcox, Mr. Speaker—22.

Absent—Messrs. Davis, Goodsell, Hale, Lafollett of Yamhill, Mackay, Osborn, Roberts, Vanderpool—8.

So the motion was lost.

Mr. Wilson introduced

HOUSE CONCURRENT RESOLUTION NO. 14.

Resolved by the House, the Senate concurring:

That a committee of three on the part of the house and two on the part of the senate be appointed whose duty it shall be to visit the school for deaf mutes and report to the two houses the condition and general workings of the same.

On motion adopted.

INTRODUCTION OF BILLS.

By Mr. Gregg. House bill No. 87, to provide for publishing reports of county finances and to pay for the same.

By Mr. Wilson. House bill No. 88, relating to the giving of tobacco and cigarettes to minors.

By Mr. Gubser. House bill No. 89, to specify the duties of common school officers, to fix right of suffrage at district school meetings and right to hold office.

By R. A. Miller. House bill No. 90, for the relief of A. W. Presley of Jackson county.

By R. A. Miller. House bill No. 91, to amend section 1 and repeal section 3 of an Act to regulate passage of bicycles, traction engines, etc., on public highways.

By Mr. Culver. House bill No. 92, to amend section 2 of chapter 3 of the justice code.

By Mr. Wilcox. House bill No. 93, to fix the time of holding county court in Gilliam county.

By Mr. Henry. House bill No. 94, to amend section 28, title 3, chapter 4, miscellaneous laws of Oregon.

By Mr. Henry. House bill No. 95, to amend section 42 of title 4 of an Act entitled an Act to establish a uniform course of public instruction.

By Mr. Henry. House bill No. 96, to amend section 62, title 6, chapter 4, miscellaneous laws of Oregon.

By Mr. Paulsen. House bill No. 97, to amend section 178, title 2, chapter 2 of the code of civil procedure.

By Mr. Harris. House bill No. 98, to regulate the practice of dentistry in Oregon.

By Mr. Benjamin. House bill No. 99, to protect the people of this State against unfair adjustment of insurance companies.

By Mr. Benjamin. House bill No. 100, to protect the people of this State against empiricism.

House bill No. 87 read first time.

On motion of Mr. Harris, the house adjourned till 2 o'clock Monday, January 17, 1887.

MONDAY, JANUARY 17, 1887.

HOUSE OF REPRESENTATIVES, }
SALEM, January 17, 1887. }

House called to order at 2:10 P. M., the Speaker in the chair.

The roll was called and all the members were present except Messrs. Davis, Goodsell, Hale, Harris and Pomeroy.

Mr. Bilyeu asked leave of absence till to-morrow noon for Mr. Hale, reason sickness.

Granted leave.

Mr. Daly asked leave of absence for Mr. Davis.

Granted.

Rev. Mr. Webb offered prayer.

The Chair announced the following standing committees:

Elections—Messrs. Richardson, Johnson, Kruse, Crockett, Vanderpool.

Ways and Means—Messrs. Benjamin, Pendleton, Noyer.

Education—Messrs. Blundell, Gubser, Henry.

Judiciary—Messrs. Harrington, Goodsell, Charles Lafollett, Bilyeu, Daly.

Claims—Messrs. Culver, Gard, Bowditch.

Military Affairs—Messrs. Summers, Gay, Wilcox.

Roads and Highways—Messrs. Gard, Pendleton, Lockett.

Engrossed Bills—Messrs. Roberts, Little, Hale.

Enrolled Bills—Messrs. Wilson, Hicks, Davis.

Indian Affairs—Messrs. Gay, McLean, I. D. Miller.
Printing—Messrs. Paulsen, Summers, R. A. Miller.
Corporations—Messrs. Laughlin, Wilson, Mitchell.
Commerce—Messrs. Maxwell, Goodsell, Palmer, Blevins, Biggs.
Counties—Messrs. McCully, Laughlin, Roberts, Wilcox, Osburn.
Federal Relations—Messrs. Johnson, Munger, Hansard.
Mining—Messrs. Holland, A. M. Lafollett, Swank.
Public Lands—Messrs. McLean, Crook, Noyer.
Internal Improvements—Messrs. Stafford, Palmer, Holmes.
Public Buildings—Messrs. Pomeroy, Munger, McKenzie.
Agriculture—Messrs. Crook, A. M. Lafollett, Taylor.
Alcoholic Traffic—Messrs. Layman, Benjamin, Haley.
Railways and Transportation—Messrs. Mackay, Pomeroy, Layman, Biggs, Mayer.
Assessment and Taxation—Messrs. Smith, Harris, Culver, Daly, Thompson.

Mr Bilyeu introduced house bill No. 101, to amend sections 547 and 548, chapter 6 of the code of civil procedure as compiled by M. P. Deady and Lafayette Lane.

Mr. Daly introduced house bill No. 102, to declare the first Saturday of June each year a public holiday.

Mr. Daly introduced house bill No. 103, to amend an Act entitled an Act to amend section 28, title 3, chapter 4 of general laws of Oregon.

Mr. Johnson introduced house bill No. 104, to create the county of Harney Lake.

Mr. Maxwell introduced house bill No. 105, an Act extending and defining jurisdiction on Columbia river.

Mr. Munger introduced house bill No. 106, to prevent foreign or American insurance companies transferring suits from State to United States courts.

Mr. C. Lafollett introduced house bill No. 107, to create county clerks commissioners of estrays and define duties, etc.

Mr. Summers introduced house bill No. 108, to provide for collecting, compiling, printing, binding, publishing and distributing laws of Oregon.

Mr. Summers introduced house bill No. 109, to prevent persons from unlawfully using or wearing the badge of the Grand Army of the Republic of this State.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, January 14, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has adopted senate concurrent resolution No. 3, authorizing the Columbia river improvement committee to employ a clerk.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Adopted on motion of Mr. Lockett.

On motion of Mr. Daly, the Hon. W. C. Brown of Polk county was invited within the bar.

Mr. Munger introduced

HOUSE CONCURRENT RESOLUTION NO. 15.

Resolved, That there be appointed a joint committee of both houses to consist of three members of the house and two from the senate, to which shall be referred so much of the Governor's message as refers to Chinese or Coolie labor and that said committee have permission to report at any time by bill or otherwise.

Mr. Munger moved its adoption.

Carried.

Mr. Blundell introduced

HOUSE RESOLUTION NO. 16.

Be it resolved by the House of Representatives:

That the committee on public lands of this house is hereby instructed to co-operate with the senate committee on public lands and to examine fully into the condition of the school, university, agricultural college and State lands of this State and to make a complete and thorough investigation of the swamp land grant. It is directed to examine into and report upon the methods of selection and the results obtained and the present status of the grant. In its report it is instructed to show to this house—

1. The amount of land patented to the State under this grant.
2. The amount certified to the interior department as properly belonging to the State but for which patent has not yet been issued.
3. The amount examined by the joint commission reported as swamp lands but not certified to the State as such.

4. The amount of land as near as may be ascertained not yet examined but which should be passed to the State as swamp land.

5. The methods followed by the State in the selection of these lands and the adjustment of the claims of the State vs. the United States under this grant.

The committee is further directed to investigate the sales made from the grant and report—

(a) The area upon which the 20 per cent. of the purchase price has been paid prior to January 19, 1879.

(b) The area upon which the 20 per cent. has been paid since that date.

(c) The area upon which full payment has been made.

(d) The total amount received from sale of swamp lands.

(e) The amount due on sales already made and the total approximate value of the grant.

(f) To ascertain the defects of the present system of disposing of these lands and in the laws governing the same. For the purpose of facilitating this investigation the committee is empowered to employ a competent clerk, and is directed to make a thorough investigation of all matters connected with the selection and sale of these lands as soon as possible.

On motion the resolution was adopted.

Mr. Roberts introduced

HOUSE RESOLUTION NO. 17.

Resolved, That each committee be allowed to employ whatever clerical aid that may be necessary.

Which was adopted on motion of Mr. Summers.

Mr. Bilyeu introduced

HOUSE RESOLUTION NO. 18.

Resolved, That in the employment of committee clerks, wherein men are employed, ex-union soldiers be given the preference, qualifications being equal.

Adopted on motion of Mr. Harrington.

Mr. Harrington offered

HOUSE RESOLUTION NO. 19.

Resolved, That there be printed for the use of this house five hundred copies of the rules of the house, including the joint rules,

standing committees and joint committees of both the senate and house.

Adopted on motion of Mr. Noyer.

Mr. Taylor introduced

HOUSE RESOLUTION NO. 20.

Resolved, That the Secretary of State be and he is hereby directed and instructed to supply each member of the house with the session laws of 1880 and 1882.

On motion of Mr. Taylor, the resolution was adopted.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, January 13, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has adopted senate joint resolution No. 3, providing for an appointment of joint committee of five as in said resolution set forth to examine books and records of the office of State Treasurer and board of commissioners for sale of school and university lands, and to perform such other duties as in said resolution set forth.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Mr. Benjamin moved adoption of senate joint resolution No. 3.

Mr. Harrington moved to amend by laying on the table till tomorrow.

Lost.

Mr. Mitchell moved senate joint resolution No. 3 be referred to committee on public lands.

Messrs. Bilyeu and Daly called for the ayes and nays on motion to commit.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Harrington, Johnson, Maxwell, Miller of Jackson, Mitchell, Mackay, Richardson, Summers—9.

Nays—Messrs. Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Daly, Gard, Gubser, Gay, Holland, Henry, Hansard, Hicks, Holmes, Haley, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Miller of Linn, Munger, McKenzie, McCully, Noyer, Osburn, Palmer, Pendleton, Paulsen,

Roberts, Stafford, Swank, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—44.

Absent—Messrs. Blundell, Davis, Goodsell, Hale, Harris, Pomeroy—6.

Blank—Mr. McLean—1.

So motion to refer was lost.

On the question to adopt the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Daly, Gard, Gubser, Gay, Holland, Henry, Hansard, Hicks, Holmes, Haley, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, Munger, McKenzie, Mackay, McCully, Noyer, Osburn, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Thompson, Taylor, Vanderpool, Wilcox, Mr. Speaker—50.

Nays—Messrs. Harrington, Johnson—2.

Absent—Messrs. Davis, Goodsell, Hale, Harris, McLean, Pomeroy, Smith, Wilson—8.

So the resolution was concurred in.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, January 14, 1887. }

Mr. Speaker: I am directed by the President to inform you that he has appointed as members of the joint committee under senate joint resolution No. 1 to visit and view the dalles of the Columbia river and inspect the government works at the cascades, Messrs. Gray, Chamberlin, Shupe, Rinehart and Veatch, and that President Carson was added to said committee and made its chairman.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, January 14, 1887. }

Mr. Speaker: I am directed by the President to inform you that he has appointed under senate joint resolution No. 2 as members of the joint committee to protect the fishing industries of the State, Messrs. Allen and Wager.

E. G. HURSH,
Chief Clerk.

The Chair announced under senate joint resolution No. 2 as the committee on the part of the house, Messrs. Maxwell, Pomeroy and Bilyeu.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, January 17, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has amended house concurrent resolution No. 5 in accordance to the tenor of the herewith transmitted amended resolution, and the same as amended has been adopted.

And the same is herewith transmitted for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Mr. Summers moved concurrence in senate amendment to house concurrent resolution No. 5 as follows:

Resolved by the House of Representatives, the Senate concurring:

That a special committee composed of the standing committees of the house and senate on assessments be appointed as the joint committee on assessment and taxation.

Which motion carried.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, January 17, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has amended, and as amended adopted house concurrent resolution No. 11 in accordance with the herewith amended resolution.

And the same is herewith transmitted for the consideration of the house.

E. G. HURSH,
Chief Clerk.

HOUSE CONCURRENT RESOLUTION NO. 11 AS AMENDED BY
THE SENATE.

Be it resolved by the House of Representatives of the State of Oregon, the Senate concurring:

That the joint committee appointed to examine the books of the

State Treasurer be and are hereby instructed to report the amount of the irreducible school fund of this State now on hand and the amount on hand at the first of each month during the last year, and also report the number of applications to borrow money from said funds during the last year, the number and amount of loans made and the number of applications rejected during the same period and to report the grounds of their rejection.

On motion of Mr. Daly, the house concurred in the senate amendment.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, January 14, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has adopted a substitute to house joint resolution No. 3, providing for a joint committee to investigate the Oregon City fish ladder.

And the same is herewith transmitted for the consideration of the house.

E. G. HURSH,
Chief Clerk.

On motion of Mr. Mayer, the following senate amendment to house joint resolution No. 3 was concurred in.

SENATE AMENDMENT TO HOUSE JOINT RESOLUTION NO. 3.

Resolved by the House, the Senate concurring:

That a committee of three on the part of the house and two on the part of the senate be appointed to investigate the manner in which the fish ladder at the falls of the Willamette at Oregon City was built, the actual cost of its construction and the manner in which the money appropriated by the State of Oregon for that purpose was expended, and that the committee have power to send for persons and papers, to administer oaths and report their findings, together with the evidence to the respective houses.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, January 17, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has concurred in house concurrent resolution No. 14, pro-

viding for a committee of two on the part of the senate and three on the part of the house to visit the school for deaf mutes.

And the same is herewith transmitted for the consideration of the house.

E. G. HURSH,
Chief Clerk.

The Speaker appointed on the part of the house as committee to visit school for deaf mutes, Messrs. Wilson, Little and Crockett.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, January 17, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has concurred in house concurrent resolution No. 13, providing for a joint committee of three on the part of the house and two on the part of the senate to investigate the manner in which the State printing is done.

And the same is herewith transmitted for the consideration of the house.

E. G. HURSH,
Chief Clerk.

The Speaker appointed as a committee on the part of the house to investigate State printing, Messrs. Paulsen, Munger and R. A. Miller.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, January 14, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has adopted senate concurrent resolution No. 2, providing for a joint committee for redistricting the State into senatorial and representative districts.

And the same is herewith transmitted for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Mr. Summers moved to concur in senate concurrent resolution No. 2.

Carried.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, January 17, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has concurred in house concurrent resolution No. 15, providing for a joint committee of both houses for reference of a portion of the Governor's message regarding Chinese labor.

And the same is herewith transmitted to the house.

E. G. HURSH,
Chief Clerk.

The Chair appointed as committee on the part of the house on the Governor's message in relation to Chinese labor, Messrs. Munger, McLean and Taylor.

House bill No. 88 read first time.

Mr. Bilyeu moved that house bill No. 89 be read first time under suspension of the rules by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Daly, Gard, Gubser, Gay, Holland, Henry, Hansard, Hicks, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osburn, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—54.

Nays—None.

Absent—Messrs. Davis, Goodsell, Hale, Harris, Pomeroy, Smith—6.

So the rules were suspended and the bill was read first time by title only.

Mr. Benjamin gave the following

NOTICE.

Mr. Speaker: I give notice that on to-morrow or some future day I will introduce a bill for an appropriation to aid Douglas county to build a bridge across the North Umpqua river on the road between Roseburg and Wilbur near the old town of Winchester in said county. Also,

Mr. Speaker: I give notice that on to-morrow or some future day I will introduce a bill for an Act to appropriate money to aid county

and district agricultural associations to hold fairs and encourage the improvement of stock, produce and manufactures.

W. F. BENJAMIN.

Mr. R. A. Miller moved to suspend the rules and read house bill No. 90 the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Daly, Gard, Gubser, Gay, Holland, Henry, Hansard, Hicks, Harrington, Holmes, Haley, Johnson, Lockett, Lafollett of Marion, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, McLean, Munger, Mackay, McCully, Noyer, Osborn, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—52.

Nays—None.

Absent—Messrs. Davis, Goodsell, Hale, Harris, Kruse, Lafollett of Yamhill, Mitchell, Pomeroy—8.

So the rules were suspended and house bill No. 90 was read first time by title.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,)
SALEM, January 14, 1887. }

Mr. Speaker: I am directed by the President to inform you that he has appointed under house concurrent resolution No. 12 as members of the joint committee to inspect the State normal school at Monmouth, Messrs. Watts and Stanley.

E. G. HURSH,
Chief Clerk.

Mr. Bowditch introduced house bill No. 110, to permanently locate, regulate and maintain a State normal school.

House bill No. 91 read first time.

Mr. Noyer introduced house bill No. 111, to amend section 23, title 3 of an Act entitled an Act to establish a uniform course of public instruction in common schools for this State.

House bill No. 92 read first time.

House bill No. 93 read first time.

House bill No. 94 read first time.

House bill No. 95 read first time.

House bill No. 96 read first time.

Mr. Mayer introduced house bill No. 112, requiring packages and cases of salmon to be branded, labeled, etc.

House bill No. 97 read first time.

House bill No. 98 read first time.

House bill No. 99 read first time.

The following communication was received:

COMMUNICATION.

OFFICE OF WILLAMETTE FARMER PUB. CO., }
SALEM, OREGON, January 14, 1887. }

To the Honorable Mr. Speaker House of Representatives Oregon Legislature:

DEAR SIR: It has been our custom for years past to supply each member of the house with a copy of the Willamette Farmer free of charge during the session of the legislature. We take pleasure in handing herewith 60 copies and request that you have one copy placed upon each member's desk, and we will consider it a favor if you will announce that we make no charge for the same.

And oblige,

WM. J. CLARKE,

Secretary Willamette Farmer Pub. Co.

House bill No. 100 read first time.

House bill No. 101 read first time.

Moved by Mr. Haley that the house adjourn till to-morrow at 9 A. M.

Withdrawn to allow Mr. Benjamin to introduce house resolution No. 21 as follows:

HOUSE RESOLUTION NO. 21.

Resolved by the House of Representatives:

That the Secretary of State be authorized to furnish the officers of the house the same amount of postage stamps, wrappers and newspapers that have been furnished to the members of the house.

Mr. Maxwell moved to adopt.

Carried.

Mr. Benjamin introduced

HOUSE RESOLUTION NO. 22.

Resolved by the House:

That it accept the liberal offer of the editor of the Willamette Farmer to lay upon our desks weekly during the session a copy of his valuable and instructive journal.

On motion of Mr. Munger, house resolution No. 22 was adopted.
Mr. Summers moved that the house adjourn to 10 A. M. to-morrow.

Mr. Bilyeu moved to amend to adjourn to 9:30 A. M. to-morrow.
The amendment was adopted.
The motion as amended prevailed.

TUESDAY, JANUARY 18, 1887.

MORNING SESSION.

HOUSE OF REPRESENTATIVES,
SALEM, January 18, 1887. }

House called to order at 9:30 by the Speaker.

House opened with prayer by Rev. J. W. Harris of Salem.

The roll was called and those absent were Messrs. Daly, Hale, Hicks and Harris.

INTRODUCTION AND FIRST READING OF BILLS.

Mr. Goodsell introduced house bill No. 113, to incorporate Sellwood in Multnomah and Clackamas counties.

On motion of Mr. Daly, Hon. L. B. Cox was invited to a seat within the bar.

Mr. McLean gives notice as follows:

NOTICE.

I desire to give notice that on to-morrow or some subsequent day I will introduce—

1. A bill for an Act to secure the detection and punishment of frauds in relation to swamp lands.

2. A bill for an Act to provide for the perfecting of titles by claimants of swamp lands and for the disposal of the moneys received by the State for such lands.

3. A bill for an Act to declare forfeited and returned to the State all swamp lands, the title to which has been obtained from this State by means of fraud and perjury.

4. A bill for an Act to secure the reopening to entry of all lands unlawfully fenced or otherwise held.

Mr. Smith introduced house bill No. 114, relating to county roads and supervisors.

By Mr. Wilson. House bill No. 115, to regulate the gift or sale of opium, morphine, etc.

By Mr. Haley. House bill No. 116, to amend section 525, chapter 2, criminal code.

By Mr. Paulsen. House bill No. 117, to establish number of hours constituting a day's work.

By Mr. A. M. Lafollett. House bill No. 118, to protect live stock and provide for payment for same when killed or injured by railroads.

By Mr. Crook. House bill No. 119, to amend section 25, chapter 4 of miscellaneous laws pertaining to common schools.

By Mr. Goodsell. House bill No. 120, to provide for construction and extension of narrow guage railways.

Mr. Pomeroy introduced house bill No. 121, to secure just and equal valuation of property for taxation.

Mr. Taylor gives notice that on to-morrow or some future day he will introduce a house bill to provide for the calling of a constitutional convention.

Mr. Paulsen introduced

HOUSE JOINT MEMORIAL NO. 2.

To the Honorable the Senate and House of Representatives of the United States in Congress assembled:

Your memorialist, the legislative assembly of the State of Oregon, would respectfully represent that Philo Callender was duly appointed a commissioner of Oregon Indian war claims prior to the Act of congress of — day of —, 1855-6, on the same subject, by an Act of the legislative assembly of the Territory of Oregon; and afterwards on the first day of December, 1856, he made his report to the legislative assembly of the Territory of Oregon, which report is in the words and figures here following:

REPORT

Of the commissioner to audit claims growing out of the Indian war of Oregon Territory :

COMMISSIONER'S OFFICE,
ASTORIA, December 1, 1856. }

To the Honorable Legislative assembly of Oregon Territory:

In conformity to the statutes creating a commission to audit certain claims growing out of the then existing Indian war of 1855-6, the undersigned begs leave to submit the following report:

The whole number and amount of certificates for claims audited and allowed are as follows, viz.:

NAME.	AMOUNT.	NAME.	AMOUNT.
Geo. W. Jackson	\$ 117 50	Thos. W. F. Paul	136 00
Wm. Helm	9 60	Daniel A. Levins	2,569 00
John B. Smith	155 00	Davis Evans	1,183 50
Austin Badger	223 20	Daniel Miller	180 00
Twogood & Harkness	1,643 00	H. J. Martin	70 00
John McCulloch	157 00	G. W. Harris	786 30
John D. Bowen	241 00	W. H. Riddle	1,239 00
Wm. McCulloch	100 00	Charles F. Ray	350 00
Lazarus Wright	750 00		
Hiram Smith	1,287 10	Total	\$ 13,845 84
Caroline Nidy	2,724 24		

The undersigned begs leave to observe that in conformity to the statute he has visited and opened offices at the following different points in the Territory, to-wit: at Salem, Portland, Corvallis, Roseburg and Jacksonville, giving, as he believes, a convenient opportunity for those having claims to present them before the commissioner for investigation; that there have been no claims presented before him and duly investigated but what have been found entitled to consideration and in part allowed. There have been many claims presented to me which upon examination were properly referred to the different departments under the military organization or withdrawn by the applicant without full or complete investigation. I would observe here that in the investigation of all claims the undersigned has required full and explicit proof, under oath, not only of the property furnished but also of its value at the time and place where it was furnished, and I have carefully reduced to writing the testimony of the claimant and principal witness with their signatures attached, which are numbered and kept on file with the duplicate certificates or vouchers.

PHILO CALLENDER,
Commissioner of War Claims.

And your memorialist represents that the same is just and unpaid and that the same is not included in the report of the war commissioners, Hon. L. F. Grover, Rufus Ingles and A. J. Smith. Therefore your honorable body is respectfully asked to make an appropriation of the sum of \$13,845 84 to pay the said claimants the amount due them.

And your memorialist in duty bound will ever pray.

On motion of Mr. Summers, house joint memorial No. 2 was referred to the committee on Indian affairs.

On motion of Mr. Summers, the house adopted house resolution No. 23, instructing house committee on public lands to co-operate with the joint committee under senate joint resolution No. 3 on swamp lands.

Mr. Noyer introduced

HOUSE CONCURRENT RESOLUTION NO. 16.

Resolved by the House, the Senate concurring:

That a committee of three on the part of the house and two on the part of the senate be appointed to investigate the office of Printer of this State.

Carried.

Mr. Summers introduced

HOUSE CONCURRENT RESOLUTION NO. 17.

Resolved by the House, the Senate concurring:

That a joint committee of five, consisting of two members from the senate and three from the house, be appointed to examine and investigate the management for the past two years of the Oregon State penitentiary and report at their earliest convenience to either house.

Be it further resolved, That they employ if necessary such clerical help as they may require.

On motion of Mr. Maxwell, the resolution was adopted.

Mr. Maxwell introduced the following:

HOUSE JOINT RESOLUTION NO. 7.

WHEREAS, The mouths of several rivers—namely, the Tillamook, the Trask, the Wilson, the Kilchis and the Miama, constituting Tillamook bay—would, if improved, be a valuable, needed harbor of refuge and furnish a refuge for ships of any size and would have an anchorage ground of twelve miles in length with abundance of water and sheltered roadway; and,

WHEREAS, This port would be the natural outlet of a vast region of immense fertility and limitless resources in the way of grain, stock, fish, dairy products and lumber which are now to a great extent valueless on account of the lack of such an outlet; and,

WHEREAS, The section of country thus made available would support a large and useful population and would constitute a great addition to the wealth and resources of the State of Oregon; therefore, be it

Resolved by the House, the Senate concurring:

That our Senators and Representatives in congress be requested to use every legitimate means to obtain from the congress of the United States an appropriation of one hundred and sixty thousand

(160,000) dollars for the survey of the Tillamook bay and bar for the construction of jetties at the mouth of said bay and for the erection of a lighthouse on Cape Mears near the mouth of said bay; and,

Be it further resolved, That the Secretary of State be instructed to transmit a copy of this resolution to each of our Senators and to our Representative in congress.

Mr. Maxwell moved its adoption.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Henry, Hansard, Hicks, Harrington, Holmes, Haley, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Mayer, Maxwell, Miller of Jackson, Mitchell, McLean, Munger, McKenzie, Mackay, McCulley, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—54.

Nays—None.

Absent—Messrs. Hale, Harris, Johnson, Little, Miller of Linn, Roberts—6.

So house joint resolution No. 7 was adopted.

House bill No. 102 read first time.

House bill No. 103 read first time.

Mr. Johnson moved house bill No. 104 be read first time by title only.

On this question the roll was called and the vote was: .

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Henry, Hansard, Hicks, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—55.

Nays—None.

Absent—Messrs. Crook, Hale, Harris, McLean, Summers—5.

So the rules were suspended and house bill No. 104 was read first time by title only.

Mr. Roberts introduced

HOUSE CONCURRENT RESOLUTION NO. 18.

Resolved by the House, the Senate concurring:

That the Secretary of State is hereby directed to purchase for the use of the State of Oregon three hundred copies of volume thirteen of the Oregon supreme court reports at a price not exceeding six dollars per copy; *provided*, that such reports shall conform to the requirements of section 2 of chapter 55 of the miscellaneous laws of this State, and that he be directed upon the purchase of such reports to forward one copy of each to each of supreme, circuit and district judges of the United States courts and of the court of claims, to the attorney-general of the United States, the secretary of the interior, the commissioner of the general land office, the librarian of each State and Territory of the United States and to the librarian of congress, to each of the judges of the supreme, district and county courts of this State, to the prosecuting attorneys of each of the judicial districts of this State and to each member of the present legislative assembly.

On motion of Mr. Goodsell, referred to judiciary committee.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, January 18, 1887. }

Mr. Speaker: I am directed by the President to inform you that the President has appointed Messrs. Bird and Veatch as senate members of the joint committee for reference of that portion of the Governor's message relating to Chinese or Coolie labor, pursuant to house concurrent resolution No. 15.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, January 18, 1887. }

Mr. Speaker: I am directed by the President to inform you that the President has appointed Messrs. Hare and Hamilton as senate members on the joint committee to visit the deaf and mute school pursuant to house concurrent resolution No. 14.

E. G. HURSH,
Chief Clerk.

House bill No. 105 read first time.

Mr. Munger moved suspension of rules and allow house bill No. 106 to be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Henry, Hansard, Hicks, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Richardson, Stafford, Swank, Smith, Thompson, Taylor, Vanderpool, Wilson, Mr. Speaker—54.

Nays—None.

Absent—Messrs. Hale, Harris, Maxwell, Roberts, Summers, Wilcox—6.

So the rules were suspended and house bill No. 106 was read first time by title only.

Mr. Munger moved that three hundred copies of house bill No. 106 be ordered printed.

On division of the house the Chair declared the motion lost.

House bill No. 107 read first time.

Mr. Summers moved to suspend the rules and read house bill No. 108 first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Henry, Hansard, Hicks, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—58.

Nays—None.

Absent—Messrs. Hale, Harris—2.

So the rules were suspended and house bill No. 108 was read first time by title only.

Mr. Mayer was excused from voting on account of hoarseness.

House bill No. 109 read first time.

Mr. Bowditch moved suspension of the rules to allow house bill No. 110 to be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—58.

Nays—None.

Absent—Messrs. Hale and Roberts—2.

So the rules were suspended and house bill No. 110 was read first time by title only.

House bill No. 111 read first time.

House bill No. 112 read first time.

Mr. Roberts introduced house bill No. 122, for extending the duties of State Superintendent of Public Instruction.

Mr. Gard introduced house bill No. 123, to fix salary of superintendent of Oregon penitentiary.

Mr. Goodsell moved to suspend the rules and read house bill No. 113 first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—58.

Nays—None.

Absent—Messrs. Hale and Mayer—2.

So the rules were suspended and house bill No. 113 read first time by title only.

Mr. Goodsell moved that house bill No. 113 be not printed.

Carried.

House bill No. 114 read first time.

House bill No. 115 read first time.

House bill No. 116 read first time.

House bill No. 117 read first time.

House bill No. 118 read first time.

Mr. Goodsell introduced house bill No. 124, to amend section 90, title 6, chapter 57, miscellaneous laws of Oregon.

House bill No. 119 read first time.

The following communication was received by the Speaker:

COMMUNICATION.

PORTLAND, OREGON, }
January 15, 1887. }

WHEREAS, The Oregon State grange has decided to urge upon the legislature of the State of Oregon the necessity and expediency of the construction by the State of three wagon roads across the Cascade mountains, connecting the great grazing and wheat growing region of eastern Oregon with the Willamette, Umpqua and Rogue river valleys, respectively; and,

WHEREAS, This board of trade has listened with deep interest to the very practical and comprehensive address of Mr. John Minto, delegate of the State grange, descriptive of the proposed routes of the several roads above referred to; now, therefore,

Be it resolved by the Board of Trade of Portland, Oregon:

That the board heartily concurs with the State grange in the opinion that the roads aforesaid are necessary and desirable; that they will foster and develop the growth of our State, will aid in the extension of our farming country and cheapen the transportation of live stock, grain, wool, lumber and other productions of the State.

Resolved, That we earnestly petition the legislature to take early action upon this important subject and to provide such means as to its wisdom may seem best for the early construction of the roads above referred to.

(Signed)

H. W. CORBETT,
Chairman Committee on Legislature.
DONALD MACLEAY,
President.

T. K. ARNOLD,
Secretary.

On motion of Mr. Daly, the communication was referred to the committee on roads and highways.

Mr. Daly moved the adoption of house resolution No. 10, on time of sessions of the house.

Mr. Summers moved to amend by 9:30 A. M., instead of 9 A. M.

Motion to amend was seconded, and on the call of Messrs. Daly and Bilyeu the ayes and nays were ordered with the following result:

Those voting aye were :

Messrs. Benjamin, Crook, Goodsell, Holland, Henry, Hicks, Harris, Harrington, Johnson, Kruse, Lockett, Lafollett of Yamhill, Layman, Laughlin, Little, Miller of Jackson, Mitchell, McLean, Munger, Mackay, McCully, Osborn, Pomeroy, Palmer, Stafford, Swank, Summers, Smith, Taylor, Wilson, Mr. Speaker—31.

Nays—Messrs. Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Gay, Hansard, Holmes, Haley, Lafollett of Marion, Maxwell, Miller of Linn, McKenzie, Noyer, Pendleton, Paulsen, Roberts, Richardson, Thompson, Vanderpool, Wilcox—27.

Absent—Messrs. Hale, Mayer—2.

So the amendment was adopted.

As amended the house adopted house resolution No. 10.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, January 17, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has concurred in house concurrent resolution No. 17, providing for the appointment of a joint committee of five consisting of two from the senate and three from the house to examine and investigate the management for the past two years of the Oregon State penitentiary.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

House bill No. 120 read first time.

House bill No. 121 read first time.

House bill No. 122 read first time.

On motion of Mr. Noyer, house adjourned.

AFTERNOON SESSION.

House called to order at 1:30 P. M., the Speaker in the chair.

The roll was called and those absent were Messrs. Crook, Crockett, Daly, Hicks, Charles Lafollett, I. D. Miller, McLean, Noyer, Thompson and Wilson.

House bill No. 123 read first time.

Mr. Taylor introduced house bill No. 125, to amend section 8, title 1, chapter 20 of miscellaneous laws of Oregon.

Mr. Benjamin introduced house bill No. 126, to appropriate money to aid in building bridge across North Umpqua river.

Mr. Harrington moved that the Sergeant-at-Arms conduct Hon. Geo. H. Williams to a seat within the bar of the house.

Carried.

Mr. Bilyeu moved the Sergeant-at-Arms conduct Hon. Charles Miller to a seat within the bar.

Carried.

Mr. Haley moved that the same courtesy be extended to Hon. B. F. Burch.

Carried.

House bill No. 124 read first time.

Mr. Roberts introduced house bill No. 127, for an Act to establish county uniformity in text-books.

Mr. Harrington introduced and moved the adoption of house concurrent resolution No. 19, as follows:

HOUSE CONCURRENT RESOLUTION NO. 19.

WHEREAS, The Secretary of State did in 1884 assign to the Oregon pioneer association the use of a room in the capitol building in which to hold their business meetings, keep their books, papers, records, etc., and to serve as a general repository of the historical relics and material for the history of the early settlement of our State; therefore,

Be it resolved by the House, the Senate concurring:

That the action of the Secretary of State in this matter be confirmed and approved, and that such room be and is hereby set aside for the permanent use and occupancy of the Oregon pioneer association as hereinbefore stated.

Which motion was sustained and house concurrent resolution No. 19 was declared adopted.

House bill No. 125 read first time.

House bill No. 126 read first time.

Mr. McKenzie introduced house bill No. 128, to incorporate the town of Drain in Douglas county, Oregon.

House bill No. 127 read first time.

The Speaker called Mr. Goodsell to the chair.

Mr. McKenzie moved the rules be suspended to allow house bill No. 128 read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were :

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Crockett, Davis, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Little, Maxwell, Miller of Jackson, Mitchell, Munger, McKenzie, McCully, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—50.

Nays—None.

Absent—Messrs. Crook, Daly, Hicks, Lafollett of Yamhill, Mayer, Miller of Linn, McLean, Mackay, Noyer, Thompson—10.

So the rules were suspended and house bill No. 128 was read first time by title only.

On motion of Mr. McKenzie, house bill No. 128 was ordered not printed.

SECOND READING OF HOUSE BILLS.

On motion of Mr. Benjamin, house ordered house bill No. 1 to lie on the table for the present.

Mr. Crook, by consent, introduced house bill No. 129, to appropriate \$20,000 to aid Curry county in constructing wagon road.

Mr. Mayer, by consent, introduced house bill No. 130, granting right to establish, operate and maintain a ferry across Yaquina bay.

R. A. Miller, by consent, introduced house bill No. 131, to amend an Act entitled an Act to amend section 28, title 3, chapter 4, miscellaneous laws of Oregon.

Mr. Biggs, by consent, introduced house bill No. 132, for an Act to regulate salaries of county judges in Oregon.

On motion of Mr. Bowditch, house bill No. 1 was taken from the table.

Mr. McLean moved that house bill No. 1 be referred to a special committee of three with power to report at any time.

On this question the roll was called and the vote was :

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Little, Mayer, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—58.

Nays—None.

Absent—Messrs. Lafollett of Yamhill, Maxwell—2.

And so house bill No. 1 was referred to special committee of Messrs. McLean, Kruse and Wilson with power to report at any time.

The Speaker resumed the chair.

The Chair excused Mr. Munger from serving on committee on printing, at his own request, and Mr. Summers was appointed in his place.

House bill No. 2 was read second time, and on motion of Mr. Harris referred to committee on military affairs.

House bill No. 3 was read second time, and on motion of Mr. Thompson referred to committee on counties.

House bill No. 4 was read second time, and on motion of Mr. Bilyeu was referred to committee of the whole house.

House bill No. 5 was read second time.

Mr. Thompson moved to refer to committee of the whole house, which motion was seconded, when Mr. Noyer moved, and the motion was seconded, to amend by referring to committee on roads and highways.

The house sustained the motion to amend and adopted the motion as amended, and house bill No. 5 was referred to committee on roads and highways.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, January 18, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has concurred in house concurrent resolution No. 19, approving the action of the Secretary of State in setting apart a room for the use of the Oregon pioneer association.

And the same is herewith transmitted to you for the consideration of the House.

E. G. HURSH,
Chief Clerk.

House bill No. 6 was read second time, and on motion of Mr. Hale was committed to the committee on education.

House bill No. 7 was read second time, and on motion of Mr. Mitchell was referred to joint committee on reapportionment.

Mr. Daly moved to suspend the rules and allow house bill No. 8 to be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Maxwell, Miller of Linn, Mitchell, McLean, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—55.

Nays—None.

Absent—Messrs. Crook, Mayer, Miller of Jackson, Munger, Summers—5.

So the rules were suspended and house bill No. 8 was read second time by title only.

On motion of Mr. Daly, house bill No. 8 was referred to committee on education.

House bill No. 9 read second time.

Mr. Wilson moved an amendment to the bill and Mr. Mackay moved the bill and amendment be referred to the Multnomah delegation.

Mr. Bilyeu moved to amend by referring to committee on commerce, on which motion the house adopted the amendment and so house bill No. 9 as amended was referred to committee on commerce.

AMENDMENT TO HOUSE BILL NO. 9.

Provided, that said corporation or its assigns shall permit any other railroad corporation whose railroad terminates on either bank of the Willamette river within the limits of the city of Portland or East Portland to use said bridge in the same manner and under the same rules and regulations as said corporation or its assigns authorized to construct and use said bridge as aforesaid may prescribe for its own traffic across said bridge on paying as rental therefor such part of the expense of maintaining and operating said bridge, and such amount for the interest actually paid and payable by said company in procuring the money for the construction of said bridge as the traffic of the railroad company so paying rental bears to the whole traffic over said bridge, deducting from said rental however a like *pro rata* amount of the proceeds received from the passage over said bridge of footmen, vehicles and ordinary travel other than rail.

House bill No. 10 was read second time, and on motion of Mr. Benjamin was laid on the table.

House bill No. 11 was read second time, and on motion of Mr. Bowditch was referred to committee on public lands.

House bill No. 12 was read second time, and Mr. Bowditch moved it be referred to special committee from first judicial district with leave to report at any time.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Holland, Hale, Henry, Hansard, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—56.

Nays—None.

Absent—Messrs. Goodsell, Gay, Hicks, Osborn—4.

And so house bill No. 12 was referred with leave to report at any time.

House bill No. 13 was read second time, and on motion of Mr. Daly was referred to committee on alcoholic traffic.

House bill No. 14 was read second time, and on motion of Mr. Wilcox referred to committee on judiciary.

House bill No. 15 was read second time, and on motion of Mr. Benjamin referred to committee on claims.

House bill No. 16 was read second time, and on motion of Mr. Noyer referred to committee on corporations.

House bill No. 17 was read second time, and on motion of Mr. Biggs referred to public buildings committee.

House bill No. 18 was read second time.

Mr. Laughlin offered to amend house bill No. 18 by striking out section 5 thereof and in lieu of said section insert the following:

AMENDMENT.

Section 5. If the location of the county seat for Yamhill county shall be changed from Lafayette to some other point in said county under the provisions of this Act, then within two years thereafter and at such time as the county court, sitting as a court for the transaction of county business, shall direct by an order upon its journal, all county business, together with the holding of all courts of records for said county, shall be transacted and held at the new county seat, and all records shall on that said day so selected by said court

be moved to the new county seat. Due notice of this order by publication thereof for four weeks prior to said removal in some weekly newspaper published in said county shall be given by said court.

Mr. Laughlin moved its adoption.

Carried.

He also offered a petition accompanying the bill, and moved to refer whole matter to committee on counties.

Carried.

Mr. Goodsell, by consent, introduced house bill No. 133, to authorize board of school land commissioners to settle claims for repayment of money received for lands to which the State has no title.

Mr. Roberts moved the rules be suspended and house bill No. 19 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, McKenzie, Mackey, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—58.

Nays—None.

Absent—Messrs. Munger, Thompson—2.

So the rules were suspended and house bill No. 19 was read second time by title only.

House bill No. 19 was, on motion of Mr. Roberts, considered engrossed and ordered to its third reading to-morrow.

On motion of R. A. Miller, the house adjourned.

WEDNESDAY, JANUARY 19, 1887.

MORNING SESSION.

HOUSE OF REPRESENTATIVES,
SALEM, January 19, 1887. }

House called to order at 9:30 A. M., the Speaker in the chair.
Prayer by Rev. J. R. N. Bell of Roseburg.

The roll was called and those absent were Messrs. Gay, Miller of Jackson, and Pomeroy.

Journal read, corrected and approved.

By unanimous consent, house bills were introduced as follows:

By Mr. Mitchell. House bill No. 134, to provide for the apprehension and punishment of the murderers of Thomas Bybee.

By Mr. Taylor. House bill No. 135, to provide for constitutional convention.

By Mr. McLean. House bill No. 136, to enable legal claimants of swamp and overflowed lands to perfect titles.

By Mr. Wilson. House bill No. 137, to amend section 52, title 3, chapter 7, miscellaneous laws of Oregon.

By Mr. Wilson. House bill No. 138, to amend section 491, title 7, chapter 5, general laws of Oregon.

By Mr. Haley. House bill No. 139, to regulate practice of medicine.

By Mr. Noyer. House bill No. 140, to create and define duties of road supervisors.

By Mr. McCully. House bill No. 141, to amend sections 4, 6 and 8, chapter 2, section 35 of chapter 5, section 56 of chapter 7, etc., of an Act to incorporate the city of LaGrande in Union county, Oregon.

By Mr. Hicks. House bill No. 142, to suppress beggars and tramps.

By Mr. Munger. House bill No. 143, to regulate the practice of pharmacy in Multnomah county.

By Mr. Bilyeu. House bill No. 144, to amend sections 40, 41 and 42, title 2, chapter 50, miscellaneous laws of Oregon.

Mr. Roberts moved to adopt

HOUSE RESOLUTION NO. 24.

Resolved, That when this house adjourns this afternoon it shall adjourn to meet at 7:30 o'clock this day to take up and pass upon bills that are of a purely local character, such as Acts of incorporation of towns and to change names of towns.

Mr. Paulsen moved to amend to 7:30 P. M. to-morrow, which motion was lost.

On motion of Mr. Paulsen, house resolution No. 24 was then laid on the table.

Mr. Daly moved the adoption of

HOUSE RESOLUTION NO. 25.

Resolved, That that portion of Governor's inaugural message relating to convict labor be referred to the committee on 'internal improvement with power to report to this house by bill or otherwise.

Which motion was sustained by the house.

Mr. McCully introduced

HOUSE JOINT RESOLUTION NO. 8.

WHEREAS, In order to suppress Indian hostilities Captain D. B. Reavis did in the year 1878 organize and equip a company of cavalry to protect the citizens of Wallowa valley in Union county, Oregon, against the depredations of hostile Indians; and,

WHEREAS, Said company did in pursuance of an order from the county judge of said county engage in active service of the State for a period of thirty-one days; and,

WHEREAS, In consequence of the great distance from headquarters and the urgent necessity for immediate action the said company was not mustered into service by the brigadier-general; therefore,

Be it resolved by the House, the Senate concurring :

That the auditing board, consisting of the Governor, Secretary and Treasurer of State, be and are hereby authorized and directed to audit and allow all just and reasonable claims incurred by said company in the manner and upon the same basis as other claims of like character.

On motion of Mr. McCully, was referred to committee on Indian affairs.

House bill No. 20 was read second time, and Mr. Goodsell moved it be indefinitely postponed.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blevins, Culver, Gubser, Goodsell, Holland, Henry, Hansard, Hicks, Harris, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Maxwell, Miller of Linn, Munger, Mackay, McCully, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Richardson, Stafford, Swank, Smith, Thompson, Taylor, Vanderpool, Wilson, Mr. Speaker—37.

Nays—Messrs. Blundell, Bowditch, Bilyeu, Biggs, Crook, Crockett, Davis, Daly, Gard, Gay, Hale, Harrington, Holmes, Haley, Mayer, Miller of Jackson, Mitchell, McLean, McKenzie, Noyer, Roberts, Summers, Wilcox—23.

Absent—None.

So house bill No. 20 was declared indefinitely postponed.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, January 19, 1887. }

Mr. Speaker: I am directed by the President to inform you that he has appointed as senate members on the joint committee to investigate the fish ladder at Oregon City on the falls of the Willamette river, pursuant to house joint resolution No. 3, Messrs. Barin and Cauthorn.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, January 19, 1887. }

Mr. Speaker: I am directed by the President to inform you that he has appointed, as senate members of the joint committee to investigate the manner in which the State printing has been done for the past two years pursuant to house concurrent resolution No. 13, Messrs. Siglin and Chamberlin.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, January 19, 1887. }

Mr. Speaker: I am directed by the President to inform you that he has appointed, as senate members on the joint committee to devise measures for redistricting the State into senatorial and representative districts, pursuant to senate concurrent resolution No. 2, Messrs. Hare, Miller, Wager and Cauthorn.

E. G. HURSH,
Chief Clerk.

The Chair appointed on the part of the house under senate concurrent resolution No. 2, Messrs. Goodsell, Laughlin, Benjamin, Mitchell and Biggs.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, January 19, 1887. }

Mr. Speaker: I am directed by the President to inform you that he has appointed, as senate members on the joint committee to investigate the affairs of the State penitentiary, pursuant to house concurrent resolution No. 17, Messrs. Looney and Hamilton.

E. G. HURSH,
Chief Clerk.

The Chair appointed on the part of the house under house concurrent resolution No. 17, Messrs. Summers, Holland and McKenzie.

House bill No. 21 read second time, and on motion of Mr. Culver was referred to committee on agriculture.

Mr. Goodsell moved that house bill No. 22 be read second time by title only and be considered engrossed and pass to third reading to-morrow.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bilyeu, Biggs, Blevins, Crook, Culver, Davis, Daly, Gard, Gubser, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Wilson, Wilcox, Mr. Speaker—56.

Nays—None.

Absent—Messrs. Bowditch, Crockett, Goodsell, Vanderpool—4.

So the rules were suspended and house bill No. 22 was read second time by title only and was considered engrossed and will pass to third reading to-morrow.

House bill No. 23 read second time, and on motion of Mr. Daly was referred to committee on education.

House bill No. 24 read second time, and on motion of Mr. Daly referred to committee on agriculture.

House bill No. 25 read second time, and on motion of Mr. Benjamin referred to committee on corporations.

Mr. Gay moved to suspend the rules and allow house bill No. 26 to be read second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Palmer, Pomeroy, Pendleton, Paulsen, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—58.

Nays—None.

Absent—Messrs. Bowditch, Roberts—2.

So the rules were suspended and house bill No. 26 was read second time by title.

Mr. Gay moved that house bill No. 26 be considered engrossed and pass to third reading to-morrow.

Carried.

House bill No. 27 read second time, and on motion of Mr. Goodsell referred to Multnomah delegation.

House bill No. 28 read second time, and on motion of Mr. Biggs referred to joint committee on reapportionment.

Mr. Bowditch moved to suspend the rules and allow house bill No. 29 to be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—58.

Nays—None.

Absent—Messrs. Crook, Hale—2.

So the rules were suspended and house bill No. 29 was read second time by title only.

House bill No. 29 was, on motion of Mr. Bowditch, referred to committee on corporations.

Mr. Summers moved to suspend the rules and read house bill No. 30 second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins,

Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—59.

Nays—None.

Absent—Mr. Hale—1.

So the rules were suspended and house bill No. 30 read second time by title only.

On motion of Mr. Summers was referred to committee on military affairs.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, January 19, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has adopted senate joint resolution No. 5, asking congress to prohibit foreigners and foreign corporations from using the public domain for the purpose of herding or rearing stock.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Mr. Harrington moved to concur in senate joint resolution No. 5.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—59.

Nays—None.

Absent—Mr. Lafollett of Yamhill—1.

And the Chair declared senate joint resolution No. 5 concurred in by the house.

House bill No. 32 read second time, and on motion of Mr. Mackay was referred to the Multnomah delegation.

Mr. Speaker requested Mr. Bilyeu to take the chair.

House bill No. 33 read second time, and on motion of Mr. McLean was referred to committee on counties.

House bill No. 34 was read second time, and on motion of Mr. Goodsell was referred to judiciary.

House bill No. 35 was read second time and referred on motion of Mr. Hale to committee on education.

House bill No. 36 read second time, and on motion of Mr. Mackay was referred to committee on transportation and railroads.

House bill No. 37 read second time and referred on motion of Mr. Thompson to committee on judiciary.

Mr. Speaker resumed the chair.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, January 19, 1887. }

Mr. Speaker: I am directed by the President to inform you that the Senate has adopted senate joint memorial No. 1, asking the senate of the United States to modify existing treaties between the United States and China, and to prohibit the importation or immigration of Chinese.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Mr. Daly moved the house do concur in senate joint memorial No. 1.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—60.

Nays—None.

Absent—None.

And senate joint memorial No. 1 was declared concurred in by the Chair.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, January 19, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has adopted senate joint memorial No. 2, asking congress to withdraw unearned railroad grants in the State and restore to actual settlement, etc.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Mr. Munger moved the house do concur in senate joint memorial No. 2.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—58.

Nays—None.

Absent—Messrs. Hicks and Pomeroy—2.

So the Chair declared the senate joint memorial No. 2 concurred in.

At his own request, Mr. Harrington was excused till 10:30 A. M. to-morrow.

Mr. Bowditch moved to suspend the rules and allow house bill No. 38 to be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—58.

Nays—None.

Absent—Messrs. Mitchell and Pomeroy—2.

So the rules were suspended and house bill No. 38 was read second time be title only.

On motion of Mr. Bowditch, house bill No. 38 was referred to committee on corporations.

Mr. Hicks, by consent, introduced

HOUSE RESOLUTION NO. 26.

Resolved, That the Secretary of State be requested to furnish the house with a pair of scales for weighing the mail so as to determine the amount of stamps necessary to put on the packages sent by mail.

On motion of R. A. Miller, adopted.

The following communication was received from Indian war veterans:

PREAMBLE AND RESOLUTION

Adopted by the Multnomah Camp No. 2, Indian war veterans, at Portland, Oregon, January 15, 1887.

WHEREAS, R. F. Murphy, a member of Captain Bennett's company, A, Oregon volunteers, Indian war of 1855 and '56, was badly frozen while escorting wounded and dead from near Walla Walla, W. T., to The Dalles, Oregon, soon after the defeat of the Indians by Col. J. K. Kelly in the Indian war of 1855 and '56, for which reason he was allowed a furlough by his commanding officer to recover his health; and,

WHEREAS, While thus on furlough at the time of the attack by Indians upon the Cascades in March 26, 1856, while gallantly going to the rescue of women and children, he did receive a ball in the left forearm near the wrist, which passed between the bones, shattering the same, lodged in and destroyed the elbow, he escaping with seventeen bullet holes in his clothing; therefore,

Resolved by Multnomah Camp No. 2, Indian War Veterans of the North Pacific Coast:

That by reason of said wounds and disabled arm, caused as before set forth, and inability to perform labor, incident and consequent upon his being so frozen, the said R. F. Murphy is entitled to some consideration from the State of Oregon and the United States and that we ask at the hands of our legislature such relief for him as they in their wisdom shall deem just and right.

Resolved, That our secretary is hereby directed to spread these

preambles and resolution on the minutes of this camp, and that two copies of the same shall be signed by the commander of this camp and its secretary and attested by our seal; one copy to be forwarded to the President of the senate and one to the Speaker of the house of representatives of the State of Oregon.

Witness our official signatures and seal of the camp.

J. H. McMILLEN,
Captain.

W. L. CHITTENDEN,
Orderly Sergeant and Secretary.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, January 19, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has adopted senate joint resolution No. 7, providing that the standing committees of the senate and house shall constitute a joint committee to examine into the condition of the State pilot schooner "Gov. Moody" at Astoria, and for action of the joint committee on the protection of the fishing interests.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Mr. Bilyeu moved the concurrence of the house in senate joint resolution No. 7.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bowditch, Bilyeu, Biggs, Culver, Crockett, Davis, Daly, Goodsell, Gay, Harris, Holmes, Johnson, Lockett, Laughlin, Mayer, Mackay, Noyer, Stafford, Taylor, Wilson, Wilcox, Mr. Speaker—22.

Nays—Messrs. Benjamin, Blundell, Blevins, Crook, Gard, Gubser, Holland, Hale, Henry, Hansard, Hicks, Haley, Kruse, Lafollett of Marion, Lafollett of Yamhill, Layman, Little, Maxwell, Miller of Linn, Mitchell, Munger, McKenzie, McCully, Osborn, Palmer, Pendleton, Paulsen, Roberts, Richardson, Swank, Summers, Smith, Thompson, Vanderpool—34.

Absent—Messrs. Harrington, Miller of Jackson, McLean, Pomeroy—4.

So senate joint resolution No. 7 was declared not concurred in and senate so notified.

On motion of Mr. Laughlin the house adjourned.

AFTERNOON SESSION.

House called to order at 1:30 P. M., the Speaker in the chair.

Roll called and those absent were Messrs. Bilyeu, Harris, Harrington, Charles Lafollett, Laughlin, Maxwell, R. A. Miller, I. D. Miller, McLean, Mackay, Pomeroy and Wilcox.

On motion of Mr. Summers, the vote by which house bill No. 22 was passed to third reading was reconsidered.

Hon. Geo. Washburne escorted within the bar by the Sergeant-at-Arms, on motion of Mr. Thompson.

Mr. Mayer, by consent, introduced house resolution No. 27.

On motion of Mr. Summers, house bill No. 22 was referred to committee on corporations.

On motion of Mr. A. M. Lafollett, Sergeant-at-Arms was ordered to conduct Hon. W. M. Collard to a seat within the bar.

The Chair appointed in place of Mr. Daly on committee on State normal school, Mr. Bilyeu.

House bill No. 39 read a second time, and on motion of Mr. Bilyeu, was referred to judiciary committee.

Mr. Crockett moved to suspend the rules and allow house bill No. 40 to be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Layman, Little, Mayer, Maxwell, Miller of Jackson, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Palmer, Pendleton, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—53.

Nays—None.

Absent—Messrs. Harrington, Lafollett of Yamhill, Laughlin, Miller of Linn, Mitchell, Pomeroy, Paulsen—7.

So the rules were suspended and house bill No. 40 was read second time by title.

Mr. Crockett moved that house bill No. 40 be referred to committee on counties with permission to report at any time.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay,

Holland, Hale, Henry, Hansard, Hicks, Harris, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Layman, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Roberts, Richardson, Stafford, Swank, Summers, Smith, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—54.

Nays—None.

Absent—Messrs. Harrington, Lafollett of Yamhill, Laughlin, Mitchell, Paulsen, Thompson—6.

So house bill No. 40 was referred to committee on counties with permission to report at any time.

Mr. Taylor moved to reconsider the vote by which house bill No. 20 was indefinitely postponed.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bowditch, Bilyeu, Biggs, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Gay, Hale, Hicks, Haley, Johnson, Lockett, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, McKenzie, Mackay, McCully, Noyer, Palmer, Roberts, Summers, Wilson, Wilcox—33.

Nays—Messrs. Benjamin, Blundell, Crook, Holland, Henry, Hansard, Harris, Kruse, Lafollett of Marion, Layman, Laughlin, Munger, Osborn, Pomeroy, Pendleton, Richardson, Stafford, Swank, Smith, Taylor, Vanderpool, Mr. Speaker—22.

Absent—Messrs. Goodsell, Harrington, Lafollett of Yamhill, Paulsen, Thompson—5.

So the motion to reconsider was declared carried.

Mr. Mayer moved to refer house bill No. 20 to committee on judiciary.

Motion prevailed.

House bill No. 41 read second time, and on motion of Mr. Smith was referred to committee on internal improvements.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, January 19, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has excused Messrs. Watts and Stanley from serving on the committee to visit the State normal school at Monmouth, under house concurrent resolution No. 12, and that the President has appointed on said committee Messrs. Barin and Irvine.

E. G. HURSH,
Chief Clerk.

The Chair announced as committee on the part of the house for investigation of fish ladder affairs, Messrs. Mayer, Richardson and Johnson.

House bill No. 42 read second time, and on motion of Mr. Bilyeu referred to committee on judiciary.

House bill No. 44 read second time, and on motion of Mr. Johnson was referred to committee on judiciary with following amendments:

FIRST AMENDMENT.

By Mr. Taylor. Insert \$750 instead of \$500 in Union county.

SECOND AMENDMENT.

By Mr. Pendleton. Insert \$1,200 instead of \$800 in Marion county.

THIRD AMENDMENT.

By Mr. Pomeroy. Insert \$300 instead of \$200 in Columbia county.

FOURTH AMENDMENT.

By Mr. Benjamin. Insert \$800 instead of \$500 in Douglas county.

FIFTH AMENDMENT.

By Mr. Noyer. Insert \$800 instead of \$700 in Clackamas county.

The amendments were adopted by the house.

Mr. Daly, by consent, introduced

HOUSE RESOLUTION NO. 28.

WHEREAS, The inaugural message of Governor Pennoyer is now before this house and in the hands of the members; therefore,

Be it resolved, That a committee consisting of Goodsell of Multnomah, Benjamin of Douglas and Bilyeu of Lane be appointed a committee to examine said document with regard to the recommendations therein contained and report the same to this house by bill or otherwise, except so much of that part of the message as pertains to the Chinese question.

On motion of Mr. Daly, the house adopted the resolution.

Mr. Blundell presented a protest against the passage of house bill No. 63.

Mr. McKenzie moved the rules be suspended and allow house bill No. 128 to be read second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Palmer, Pendleton, Paulsen, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—56.

Nays—None.

Absent—Messrs. Harrington, Lafollett of Marion, Pomeroy, Roberts—4.

So the rules were declared suspended and house bill No. 128 was read second time by title only.

Mr. Blundell moved to refer house bill No. 128 to committee on corporations.

Carried.

Mr. Mitchell moved a suspension of the rules to allow house bill No. 63 read second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Holmes, Haley, Johnson, Kruse, Lockett, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Wilson, Wilcox, Mr. Speaker—55.

Nays—None.

Absent—Messrs. Harrington, Lafollett of Marion, Lafollett of Yamhill, Noyer and Vanderpool—5.

So the rules were suspended and house bill No. 63 was read second time by title, and on motion of Mr. Mitchell was referred to committee on corporations.

On motion of Mr. Blundell, the protest was referred to the same committee.

Yenke's petition was presented by Mr. Pendleton, and on motion referred to the committee on claims.

Mr. Benjamin presented a petition from citizens of Roseburg, which on his motion was referred to the committee on counties.

Mr. Munger presented a petition from Knights of Labor at Portland, which on motion of Mr. Summers was referred to the committee on commerce.

Mr. Benjamin gives

NOTICE.

Mr. Speaker: I hereby give notice that on to-morrow or some future day I shall introduce a bill for an Act to amend an Act approved October 24, 1882, entitled an Act to amend section 878 of title 3 of chapter 2 of the code of civil practice.

W. F. BENJAMIN.

Mr. Crook moved to suspend the rules to allow house bill No. 129 to be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osburn, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—56.

Nays—None.

Absent—Messrs. Crockett, Harrington, Little, Pomeroy—4.

So the rules were suspended and house bill No. 129 was read first time by title only.

House bill No. 130 read first time.

House bill No. 131 read first time.

House bill No. 132 read first time.

House bill No. 133 read first time.

House bill No. 134 read first time.

House bill No. 135 read first time.

Mr. Culver introduced

HOUSE RESOLUTION NO. 29.

Resolved, That the Secretary of State be requested to furnish the requisite number of copies of the report of the tax commission, to supply the members of the house.

On motion of Mr. Thompson, adopted.
Mr. Roberts introduced

HOUSE RESOLUTION NO. 30.

Resolved, that the Sergeant-at-Arms be instructed to furnish each clerk of the house committees three newspapers.

Mr. Summers moved to adopt.

Mr. Bilyeu moved to amend by saying that one of the papers should be the World's Advanced Thought.

The amendment was carried.

Mr. Bilyeu moved to indefinitely postpone the resolution.

Carried.

House bill No. 136 read first time.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, January 19, 1887. }

Mr. Speaker: I am directed by the President to inform you that the Senate has adopted senate concurrent resolution No. 5, providing for the appointment of a joint committee, to consist of two on the part of the senate and three on the part of the house, to examine the returns of the expenditure of moneys in building the Rogue river bridge at Grant's Pass.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

On motion of Mr. Goodsell, house adjourned.

THURSDAY, JANUARY 20, 1887.

MORNING SESSION.

HOUSE OF REPRESENTATIVES,
SALEM, January 20, 1887. }

House called to order at 9:30 A. M., the Speaker in the chair.

Prayer by Rev. W. H. Harrington of Salem.

The roll was called and those absent were Messrs. Harrington, Charles Lafollett and Mitchell.

Journal of yesterday read and approved.

The following communication was read:

COMMUNICATION.

SALEM, OREGON,
January 20, 1887. }

Mr. Speaker: Pursuant to section 5 of an Act to create board of commissioners to examine the matters of assessment and taxation, etc., approved November 25, 1885, in behalf of said board I have the honor to transmit through you to the legislative assembly of the State of Oregon a bill which was designed by the commission to cover the whole subject of assessment and taxation in this State. My own individual views on certain features of the bill are embodied in a separate communication to the Governor submitted with the report of the majority.

Most respectfully submitted,

R. S. STRAHAN,

Chairman Board of Tax Commissioners.

Senate concurrent resolution No. 5 for a committee to report on the money expended in building bridge at Grant's Pass over Rogue river was read and adopted on motion of Mr. Mitchell.

Mr. Wilson offered

HOUSE RESOLUTION NO. 31.

Resolved by the House:

That the Secretary of State be requested to have printed 300 copies of statistics showing the amount of money collected as fees in the several counties of this State by the county clerks and sheriffs thereof and that he furnish the members of this legislature with copies thereof.

Which was adopted on motion of Mr. Benjamin.

Mr. Blundell requested to be excused from serving on the committee to visit the normal school at Monmouth.

Request granted and Mr. Gubser appointed instead.

Mr. Smith presented petitions from Women's Christian Temperance Union, which on his motion were referred to the judiciary committee.

C. Lafollett introduced

HOUSE RESOLUTION NO. 32.

WHEREAS, During the thirteenth biennial session of the legislature of this State there were several bills lost or misplaced during the various stages of the legislature; therefore, be it

Resolved by this House:

That no persons be allowed in or about the committees except officers and members of the house and clerks of said committees; but the said clerks of the various committees shall not be allowed to be in other committee rooms besides their own except upon invitation of the chairman or interfere in any manner with the business of other committees.

Which was adopted on motion of Mr. Daly.

Mr. Haley offered

HOUSE CONCURRENT RESOLUTION NO. 20.

Resolved by the House, the Senate concurring:

That the members of the house committee on commerce and the members of the senate committee on commerce be and they are hereby constituted a joint committee of the two houses to investigate and report upon the situation of the canal and locks at Oregon City in regard to their relation to the development of the water power at that place, and also as to the propriety of the State taking steps now to determine its policy regarding the purchase of said docks, and the probable cost if the same can be purchased for the State, and the value thereof at this time, and to make such recommendations in the premises as shall seem proper. Said committee is authorized to visit and examine said locks in person.

Which was adopted on motion of Mr. Roberts and transmitted to the senate.

House resolution No. 27 by Mr. Mayer, read second time for changing rule 41. So it shall read:

Rule 41. The first reading of a bill shall be for information, and

if objection is made to it the question shall be: "Shall the bill be rejected?" If no objection be made or if the question to reject be lost, the bill shall go to its second reading without a question; and all bills shall be sent to the State Printer, and two hundred and fifty copies thereof be printed for the use of the legislative assembly unless otherwise ordered; and also any member desiring to introduce a bill shall first obtain the floor and state that he desires to introduce such bill, and if entitled to do so the bill shall then be sent to the Clerk's desk to be numbered, and all bills shall be read the first time in the order in which they are numbered by the Clerk, unless otherwise ordered by a majority vote of the members present, but no bill shall be read a first time until every member present, entitled to introduce a bill, shall have had an opportunity to do so, unless otherwise ordered by a majority of the members present or by unanimous consent.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osburn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—59.

Nays—None.

Absent—Mr. Harrington—1.

So house rule No. 41 was ordered changed to read two hundred and fifty instead of one hundred and fifty.

THIRD READING OF HOUSE BILLS.

House bill No. 19 read third time.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts,

Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—58.

Nays—None.

Absent—Messrs. Harrington and Mayer—2.

So house bill No. 19 was declared to have passed the house.

And there being no objection, the title of the bill stands as the title of the Act.

Mr. Bilyeu, by consent, introduced and moved the adoption of

HOUSE RESOLUTION NO. 33.

Resolved, That the Clerk of the house be instructed to have prepared each morning for the use of each member of the house a calendar showing the status of each bill or measure to be acted upon by the house; said work to be done by the State Printer, and to be laid on the desk of each member at the opening of each morning session.

Which motion was adopted.

House bill No. 26 being deficient in title, was on motion of Mr. Bilyeu, handed to introducer to be completed.

House bill No. 26 having been perfected was read the third time.

“Shall the bill pass?”

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—57.

Nays—None.

Absent—Messrs. Harrington, Lafollett of Yamhill, Roberts—3.

So house bill No. 26 was declared to have passed the house.

And there being no objection, the title of the bill stood as the title of the Act.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, January 20, 1887. }

Mr. Speaker: I am directed by the President to inform you that he has appointed as members on the committee to examine the re-

turns of the expenditure of the Rogue river bridge, pursuant to senate concurrent resolution No. 5, Messrs. Steel and Weatherford.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, January 20, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has concurred in house concurrent resolution No. 20, providing for the appointment of a joint committee, composed of the house committee on commerce and the senate committee on commerce, to investigate and report upon the situation of the canal and locks at Oregon City in regard to their relation and development of the water power at that place.

And the same is herewith transmitted to the house.

E. G. HURSH,
Chief Clerk.

The Chair, by the consent of the house, excused Mr. Summers till Monday noon.

INTRODUCTION AND FIRST READING OF BILLS.

By Mr. Paulsen. House bill No. 145, to amend an Act to prevent deceptions in sales of dairy products, approved February 25, 1885.

By Mr. Gregg. House bill No. 146, for relief of J. L. Parrish.

By Mr. Gregg. House bill No. 147, to amend an Act relating to compensation of school clerks, approved November 21, 1885.

By Mr. Benjamin. House bill No. 148, to amend an Act approved October 24, 1882, entitled an Act to amend section 878, title 3, chapter 11, code of civil procedure.

By Mr. Little. House bill No. 149, to define the boundary line between Yamhill and Tillamook counties.

By Mr. Noyer. House bill No. 150, to license stallions and jacks.

By Mr. Taylor. House bill No. 151, to provide for appropriation of water for beneficial purposes and to secure water rights.

By C. Lafollett. House bill No. 152, to create the Willamina Netarts Bay Toll Road Company and open right of way for same.

By board of tax commissioners. House bill No. 153, to provide for more equitable and just assessment of taxation in Oregon.

By Mr. Thompson. House bill No. 154, to tax insurance com-

panies or associations and regulate manner of assessments and collection thereof from domestic insurance companies.

By Mr. Vanderpool. House bill No. 155, to regulate proper appropriation of road moneys.

By Mr. Munger. House bill No. 156, to restrict Chinese from working or holding mining claims or real estate.

By Mr. McLean. House bill No. 157, to provide for the selection of homesteads and exemptions from execution or forced sale thereof.

By Mr. Hale. House bill No. 158, to amend section 55, title 4, school laws of Oregon.

By Mr. McCully. House bill No. 159, to appropriate \$5000 for building wagon road from town of Joseph to State line near mouth of Grande Ronde river.

By Mr. Hicks. House bill No. 160, to regulate sale of spirituous, malt and vinous liquors and licensing sale of same.

By Mr. Swank. House bill No. 161, to defray funeral expenses of needy soldiers of all wars.

By Mr. Henry. House bill No. 162, to prevent the adulteration of food or drugs.

By Mr. Harrington. House bill No. 163, to create office of attorney-general for the State of Oregon.

By Mr. Mayer. House bill No. 164, to encourage improvement of breeds in cattle and hogs.

By Mr. Bilyeu. House bill No. 165, to authorize and empower Springfield Milling Company to construct and maintain improvements along Fall creek in Lane county, Oregon.

By Mr. Daly. House bill No. 166, to regulate payment of wages of employes of corporations and companies.

House bill No. 137 read first time.

House bill No. 138 read first time.

Mr. Daly moved to suspend the rules and allow house bill No. 139 to be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Palmer, Pomeroy, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—59.

Nays—None.

Absent—Mr. Thompson—1.

So the rules were suspended and house bill No. 139 was read first time by title only.

House bill No. 140 read first time.

Mr. McLean offered

HOUSE RESOLUTION NO. 34.

WHEREAS, In the Oregonian of this date, January 20, there appears a paragraph reflecting upon the honor of the members of the standing committee; therefore,

Be it resolved by the Legislative Assembly of the State of Oregon:

That a committee of three be appointed by the Speaker for the purpose of investigating the matter and to report to the house.

Mr. Benjamin moved the adoption, which motion was seconded and after discussion lost.

The Chair appointed as committee on the part of the house in the matter of the Rogue river bridge, Messrs. Lafollett of Marion, Paulsen and I. D. Miller.

Mr. Taylor moved to suspend the rules and allow house bill No. 141 read first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Biggs, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Osburn, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—54.

Nays—None.

Absent—Messrs. Bilyeu, Blevins, Miller of Jackson, Noyer, Pomeroy, Summers—6.

So the rules were suspended and house bill No. 141 was read first time by title only.

House bill No. 142 read first time.

House bill No. 143 read first time.

House bill No. 144 read first time.

House bill No. 145 read first time.

On motion of Mr. Hansard, house adjourned.

AFTERNOON SESSION.

House called to order at 1:30 P. M., the Speaker in the chair.

The roll was called and those absent were Messrs. Crockett, Hicks, Harris, Lafollett of Yamhill, Mayer, Mackay, Summers and Thompson.

Mr. Harrington presented petition from citizens of Portland, which on his motion was referred to the committee on commerce.

House bill No. 146 read first time.

Mr. Munger presented petition, which on his motion was referred to committee on commerce.

House bill No. 147 read first time.

Mr. Paulsen introduced house bill No. 167, to amend section 18, title 3 of chapter 41, miscellaneous laws of Oregon.

House bill No. 148 read first time.

House bill No. 149 read first time.

House bill No. 150 read first time.

Mr. Hicks presented petition from citizens of Marion county and moved its adoption.

Mr. Harris moved to amend by referring to the committee on assessment and taxation.

Carried.

The motion as amended was adopted and the petition was referred to committee on assessment and taxation.

House bill No. 151 read first time.

House bill No. 152 read first time.

Mr. Bilyeu moved to suspend the rules and allow house bill No. 153 read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—57.

Nays—None.

Absent—Messrs. Daly, Miller of Jackson and Summers—3.

So the rules were suspended and house bill No. 153 was read first time by title only.

On motion of Mr. Bilyeu, house bill No. 153 was not printed.

Mr. Thompson moved the rules be suspended and house bill No. 153 be read second time by title only.

On this question the roll was called and the vote was :

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Roberts, Richardson, Stafford, Swank, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—57.

Nays—None.

Absent—Messrs. Miller of Jackson, Paulsen and Summers—3.

So the rules were suspended and house bill No. 153 was read second time by title only.

On motion of Mr. Thompson, house bill No. 153 was referred to committee on assessment and taxation.

House bill No. 154 read first time.

House bill No. 155 read first time.

House bill No. 156 read first time.

Mr. McLean moved to suspend the rules and allow house bill No. 157 to be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Richardson, Stafford, Swank, Smith, Thompson, Taylor, Vanderpool, Wilcox, Mr. Speaker—55.

Nays—None.

Absent—Messrs. Harrington, Mackay, Roberts, Summers, Wilson—5.

So the rules were suspended and house bill No. 157 was read first time by title.

House bill No. 158 read first time.

House bill No. 159 read first time.

Mr. Hicks moved to suspend the rules and allow house bill No. 160 to be read first time by title only.

Roll :

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Smith, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—57.

Nays—None.

Absent—Messrs. Blundell, Summers, Thompson—3.

So the rules were suspended and house bill No. 160 was read first time by title.

Mr. Hicks moved to further suspend the rules and allow house bill No. 160 to be read second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Biggs, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Richardson, Stafford, Smith, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—51.

Nays—None.

Absent—Messrs. Bilyeu, Crook, Haley, Maxwell, Mackay, Roberts, Swank, Summers, Thompson—9.

So the rules were suspended and house bill No. 160 was read first time by title only.

And the bill was, on motion of Mr. Hicks, referred to the committee on alcoholic traffic with the amendment by Mr. Mayer that the bill be first printed.

Introduced by Mr. McLean. House bill No. 168, to incorporate the town of Linkville.

By Mr. Bilyeu. House bill No. 169, to amend an Act incorporating Springfield, Oregon, approved February 25, 1885, and repeal Acts conflicting therewith.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, January 20, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has adopted senate concurrent resolution No. 6, providing that the committee on commerce on the part of the senate and the committee on commerce on the part of the house be constituted a joint committee to proceed to Astoria, Oregon, for the purpose of examining into the pilot and towing system at the mouth of the Columbia river, etc.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Mr. Mitchell moved that senate concurrent resolution No. 6 be laid on the table.

Messrs. Daly and Bilyeu called for the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Blevins, Culver, Gard, Gubser, Henry, Hicks, Harris, Harrington, Haley, Kruse, Lafollett of Marion, Lafollett of Yamhill, Layman, Little, Mayer, Maxwell, Mitchell, Noyer, Osborn, Pomeroy, Pendleton, Paulsen, Roberts, Richardson, Swank, Smith, Wilson, Mr. Speaker—30.

Nays—Messrs. Bowditch, Bilyeu, Biggs, Crook, Crockett, Davis, Daly, Goodsell, Gay, Holland, Hale, Hansard, Holmes, Johnson, Lockett, Miller of Linn, McLean, Munger, McKenzie, Mackay, McCully, Palmer, Stafford, Taylor, Vanderpool, Wilcox—26.

Absent—Messrs. Laughlin, Miller of Jackson, Summers, Thompson—4.

So the motion to table was lost.

Mr. Taylor then moved to concur in senate concurrent resolution No. 6.

Mr. Benjamin moved to refer to committee on commerce.

Messrs. Bilyeu and Daly called for ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blevins, Gard, Gubser, Kruse, Osborn, Paulsen—7.

Nays—Messrs. Blundell, Bowditch, Bilyeu, Biggs, Crook, Culver, Crockett, Davis, Daly, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Lockett,

Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Pomeroy, Palmer, Pendleton, Roberts, Richardson, Stafford, Swank, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—52.

Absent—Mr. Summers—1.

So the motion to refer senate concurrent resolution No. 6 to committee on commerce was lost.

Mr. Maxwell desired to be excused from voting, but the house refuse to excuse him.

On the motion to concur the roll was called and the vote was:

Those voting aye were:

Messrs. Bowditch, Bilyeu, Biggs, Crook, Culver, Crockett, Davis, Daly, Gard, Goodsell, Gay, Holland, Hicks, Harris, Harrington, Holmes, Johnson, Lockett, Laughlin, McLean, Mackay, McCully, Pomeroy, Palmer, Stafford, Taylor, Wilson, Wilcox, Mr. Speaker—29.

Nays—Messrs. Benjamin, Blundell, Blevins, Gubser, Hale, Henry, Hansard, Haley, Kruse, Lafollett of Marion, Lafollett of Yamhill, Layman, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, Munger, McKenzie, Noyer, Osborn, Pendleton, Paulsen, Roberts, Richardson, Swank, Smith, Thompson, Vanderpool—30.

Absent—Mr. Summers—1.

So the motion to concur was lost.

House bill No. 161 read first time.

House bill No. 162 read first time.

House bill No. 163 read first time.

On motion of Mr. Goodsell, house adjourned.

FRIDAY, JANUARY 21, 1887.

MORNING SESSION.

HOUSE OF REPRESENTATIVES, }
SALEM, January 21, 1887. }

House called to order at 9:30 A. M., the Speaker in the chair.

Prayer by Rev. M. C. Wire of Salem.

The roll was called and those absent were: Messrs. Gubser, Goodsell, Harrington, Laughlin, Mitchell and Summers.

Mr. Summers absent on leave.

The journal of yesterday was read and approved.

INTRODUCTION OF BILLS.

By Mr. Daly. House bill No. 170, to provide for subjection of debts due by judgment to the levy of attachment and execution.

By Mr. Gregg. House bill No. 171, to amend section 25 of miscellaneous laws on common schools.

By Mr. Daly. House bill No. 172, to amend section 2 of Act to prevent contagious and infectious diseases, approved October 20, 1880.

By Mr. Harrington. House bill No. 173, relating to appeals.

By Mr. Thompson. House bill No. 174, relating to evidence in actions against insurance companies on policies issued on property in the State.

Mr. Thompson moved that the vote by which house bill No. 153 was referred to committee on assessment and taxation be reconsidered.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—56.

Nays—None.

Absent—Messrs. Davis, Little, Munger, Summers—4.

So the vote was reconsidered, and on motion of Mr. Thompson house bill No. 153 was referred to committee of the whole house.

Mr. Mayer moved to reconsider the vote by which the house refused to concur in senate resolution No. 6.

Mr. Maxwell moved to indefinitely postpone.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Blevins, Crook, Culver, Crockett, Gard, Gubser, Gay, Holland, Hale, Henry, Hansard, Hicks, Holmes, Haley, Johnson, Kruse, Lafollett of Marion, Lafollett of Yamhill, Layman, Little, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, McKenzie, Mackay, McCully, Noyer, Osborn, Pendleton, Paulsen, Roberts, Richardson, Swank, Smith, Taylor—41.

Nays—Messrs. Biggs, Davis, Daly, Goodsell, Harris, Harrington, Lockett, Laughlin, Mayer, Munger, Pomeroy, Palmer, Stafford, Thompson, Vanderpool, Wilson, Wilcox, Mr. Speaker—18.

Absent—Mr. Summers—1.

So the motion to reconsider was indefinitely postponed.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, January 20, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has adopted senate concurrent resolution No. 7, providing for the appointment of a joint committee of two from the senate and three from the house to investigate the expenditure of money appropriated by the State to the Oregon State board of agriculture.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

On motion of Mr. Culver, senate concurrent resolution No. 7 was adopted.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, January 21, 1887. }

Mr. Speaker: I am directed by the President to inform you that senate joint resolution No. 2 has been reported correctly enrolled.

And the same is herewith transmitted for your signature.

E. G. HURSH,
Chief Clerk.

The Chair announced that he was about to sign enrolled senate joint resolution No. 2, and subsequently that he had signed it.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, January 21, 1887. }

Mr. Speaker: I am directed by the President to inform you that senate joint resolution No. 1 has been reported correctly enrolled.

And the same is herewith transmitted for your signature.

E. G. HURSH,
Chief Clerk.

. The Chair announced that he was about to sign senate joint memorial No. 1, subsequently that he had signed it.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, January 21, 1887. }

Mr. Speaker: I am directed by the President to inform you that senate joint resolution No. 1 has been correctly enrolled.

And the same is herewith transmitted for your signature.

E. G. HURSH,
Chief Clerk.

The Chair announced that he was about to sign senate joint resolution No. 1, and subsequently stated that he had signed it.

By consent the following reports were received from committees:

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, January 21, 1887. }

Mr. Speaker: Your committee on enrolled bills, to whom was referred house joint resolution No. 3, beg leave to report the same back to the house as correctly enrolled.

JOHN WILSON,
Chairman.

The Speaker announced that he was about to sign house joint resolution No. 3, also that he had signed it.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, January 20, 1887. }

Mr. Speaker: Your committee on judiciary, to whom was referred house joint resolution No. 6, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house without recommendation.

S. R. HARRINGTON,
Chairman.

Mr. Paulsen moved the adoption of house joint resolution No. 6. On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bilyeu, Biggs, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Gay, Hale, Henry, Hansard,

Hicks, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Little, Mayer, Miller of Jackson, Miller of Linn, Mitchell, Munger, McKenzie, McCully, Noyer, Osborn, Palmer, Pendleton, Paulsen, Richardson, Stafford, Swank, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—48.

Nays—Messrs. Bowditch, Goodsell, Holland, Harris, Harrington, McLean, Mackay, Pomeroy, Roberts—9.

Absent—Messrs. Crook, Lafollett of Yamhill, Maxwell, Summers—3.

So house joint resolution No. 6 was adopted.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, January 21, 1887. }

Mr. Speaker: I am directed by the President to inform you that he has appointed Messrs. Cartwright and Cauthorn senate members of the joint committee to investigate and report upon the affairs of the Oregon State board of agriculture under senate concurrent resolution No. 7.

E. G. HURSH,
Chief Clerk.

On which the Chair appointed on the part of the house, Messrs. McCully, Palmer and R. A. Miller.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, January 21, 1887. }

Mr. Speaker: I am directed by the President to inform you that senate joint memorial No. 2 has been reported correctly enrolled.

And the same is herewith transmitted for your signature.

E. G. HURSH,
Chief Clerk.

The Speaker announced that he was about to sign senate joint memorial No. 2, and subsequently that he had signed it.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, January 21, 1887. }

Mr. Speaker: I am directed by the President to inform you that senate joint memorial No. 3 has been reported correctly enrolled.

And the same is herewith transmitted for your signature.

E. G. HURSH,
Chief Clerk.

The Chair announced that he was about to sign senate joint resolution No. 3, and that he had signed it.

By consent committees reported as follows:

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, January 20, 1887. }

Mr. Speaker: Your committee on judiciary, to whom was referred house bill No. 45, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house without recommendation.

S. R. HARRINGTON,
Chairman.

And the bill was considered engrossed and ordered to its third reading.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, January 20, 1887. }

Mr. Speaker: Your committee on judiciary, to whom was referred house bill No. 34, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

S. R. HARRINGTON,
Chairman.

And the bill was considered engrossed, and ordered to its third reading.

The Multnomah delegation made the following

REPORT.

SALEM, January 19, 1887.

To the Honorable Legislative Assembly of the State of Oregon:

Mr. Speaker: The undersigned to whom was referred the consideration of house bill No. 27, entitled an Act to fix the salary of the assessor of Multnomah county, State of Oregon, recommend that it do pass.

DAVID GOODSELL,
Chairman.

W. H. HARRIS,
WM. MUNGER,
S. R. HARRINGTON,
D. MACKAY,
JOHN WILSON.

So the bill was considered engrossed and ordered passed to third reading.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, January 20, 1887. }

Mr. Speaker: Your committee on claims, to whom was referred house bill No. 15, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

W. B. CULVER,
Chairman.

So the bill was considered engrossed and ordered passed to third reading.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, January 20, 1887. }

Mr. Speaker: Your committee on Indian affairs, to whom was referred house joint memorial No. 2, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

H. C. GAY,
Chairman.

Mr. Paulsen moved to adopt house joint memorial No. 2.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Smith, Taylor, Wilson, Wilcox, Mr. Speaker—56.

Nays—None.

Absent—Messrs. Holland, Summers, Thompson, Vanderpool—4.

So house joint memorial No. 2 was declared adopted.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, January 21, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has adopted senate concurrent resolution No. 4, providing for the appointment of a joint committee of five, two from the senate and three from the house, to examine into the work done by the State board of investigation, etc.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

On motion of Mr. Munger, the house concurred in senate concurrent resolution No. 4, and the senate was so notified.

The committee on Indian affairs made the following

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, January 20, 1887. }

Mr. Speaker: Your committee on Indian affairs, to whom was referred house joint resolution No. 8, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

H. C. GAY,
Chairman.

Mr. Taylor moved the house joint resolution No. 8 be adopted.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Smith, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—57.

Nays—None.

Absent—Messrs. Holland, Summers—2.

Excused—Mr. Thompson—1.

So the senate joint resolution No. 8 was adopted.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, January 21, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has adopted house joint resolution No. 7, requesting our Senators and Representatives in congress to secure appropriation of \$160,000 for the survey, etc., of Tillamook bay bar, etc.

And the same is herewith returned to the house.

E. G. HURSH,
Chief Clerk.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, January 20, 1887. }

Mr. Speaker: Your committee on corporations, to whom was referred house bill No. 25, beg leave to report that they have had the same under consideration and would respectfully report it back to the house with the recommendation that it do pass as amended.

R. R. LAUGHLIN,
Chairman.

AMENDMENT.

That section one (1) of said bill be amended by striking out of said section all after the word provided in thirty-fourth line and inserting instead thereof the following: That the said company shall in all cases pay to the owner or owners of lands or property destroyed or damaged by overflow or otherwise by reason of the construction and maintenance of said locks or tide gates such damages as may be awarded by courts of competent jurisdiction under the general laws of the State to the person so damaged, and also by adding thereto section 2, to read as follows: Section 2. That the legislature shall have power to repeal or amend this Act.

On motion of Mr. Laughlin, the amendments were adopted and house bill 25 ordered engrossed and pass to a third reading.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, January 20, 1887. }

Mr. Speaker: Your committee on corporations, to whom was referred house bill No. 22, beg leave to report that they have had the

same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the amendments annexed.

R. R. LAUGHLIN,
Chairman.

AMENDMENT.

That section 17 be amended by striking out of said section all after the word election in the seventh line thereof so that said section will read as follows:

Section 17. No person shall be eligible to any office in the municipal corporation who is not entitled to the privilege of an elector according to the constitution of this State and who has not resided in the city of Albina, Oregon, one year preceding such election.

On motion of Mr. Goodsell, the amendment was adopted and the bill was ordered to be engrossed and passed to its third reading.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,)
SALEM, January 21, 1887.)

Mr. Speaker: I am directed by the President to inform you that the senate has adopted senate joint memorial No. 3, relating to forfeiture of Cascade branch Northern Pacific Railroad land grant.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Mr. Pendleton moved the concurrence of the house in senate joint memorial No. 3.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Holland, Hale, Henry, Hansard, Hicks, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—53.

Nays—None.

Absent—Messrs. Goodsell, Gay, Harris, Lafollett of Yamhill, McLean, Swank, Summers—7.

So the house concurred in senate joint memorial No. 3.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, January 21, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has adopted senate concurrent resolution No. 8, requesting the Secretary of State to have 250 copies of annual reports of railroad companies doing business in State printed for use of legislature.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Which, on motion of Mr. Benjamin, was adopted.

The Multnomah delegation made the following report:

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, January 20, 1887. }

Mr. Speaker: The delegation from Multnomah, to whom was referred house bill No. 32, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

JOHN WILSON,
Chairman.

So the bill was considered engrossed and ordered to its third reading.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, January 21, 1887. }

Mr. Speaker: Your committee on corporations, to whom was referred house bill No. 29, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do not pass.

R. R. LAUGHLIN,
Chairman.

So the bill was considered engrossed and ordered passed to its third reading.

Mr. Benjamin moved the committee on counties report back the

petition from citizens of Douglas county relative to salaries of county treasurer.

Carried.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, January 20, 1887. }

Mr. Speaker: Your committee on corporations, to whom was referred house bill No. 31, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

R. R. LAUGHLIN,
Chairman.

So the bill was considered engrossed and ordered to pass to third reading.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, January 21, 1887. }

Mr. Speaker: Your committee on corporations, to whom was referred house bill No. 63, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

R. R. LAUGHLIN,
Chairman.

So the bill was considered engrossed and ordered to pass to third reading.

Mr. Mitchell moved that house bill No. 63 be read third time the first thing this afternoon.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bowditch, Blevins, Crook, Crockett, Gard, Gay, Holland, Lockett, Laughlin, Miller of Jackson, Miller of Linn, Mitchell, Munger, McKenzie, McCully, Noyer, Pendleton, Taylor, Wilcox—19.

Nays—Messrs. Benjamin, Blundell, Bilyeu, Biggs, Culver, Daly, Gubser, Hale, Henry, Hansard, Hicks, Harrington, Holmes, Haley, Johnson, Kruse, Lafollett of Marion, Lafollett of Yamhill, Layman, Little, Maxwell, McLean, Mackay, Osborn, Pomeroy, Palmer, Paulsen, Roberts, Richardson, Stafford, Swank, Smith, Thompson, Wilson, Mr. Speaker—35.

Absent—Messrs. Davis, Goodsell, Harris, Mayer, Summers, Vanderpool—6.

So the motion to suspend the rules was lost.

Mr. Goodsell moved that when the house adjourn it shall adjourn till 2 o'clock P. M. Monday next.

Carried.

On motion of Mr. Bilyeu, the house adjourned.

MONDAY, JANUARY 24, 1887.

HOUSE OF REPRESENTATIVES,
SALEM, January 24, 1887. }

House called to order at 2 P. M. as per adjournment, the Speaker in the chair.

Roll called and those absent were Messrs. Gubser, Goodsell, Harrington, Little, Roberts and Vanderpool.

Mr. Vanderpool absent on leave.

Mr. Davis requested that Mr. Vanderpool be excused till to-morrow on account of sickness.

Granted.

Journal of Friday read and approved.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, January 21, 1887. }

Mr. Speaker: I am directed by the President to inform you that he has signed house joint resolution No. 3.

And the same is herewith returned.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, January 21, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has concurred in house joint resolution No. 6, in regard to the manner of electing United States senators.

And the same is herewith transmitted to the house.

E. G. HURSH,
Chief Clerk.

Mr. Daly, by consent, introduced

HOUSE RESOLUTION NO. 35.

WHEREAS, At the special session of legislative assembly of the State of Oregon held in November, A. D. 1885, the following senate joint resolution was presented, to-wit:

SENATE JOINT RESOLUTION NO. 2.

WHEREAS, There have heretofore existed and do still exist several claims against the United States for money and services rendered and supplies furnished by this State in behalf of the United States, and which constituted proper matters for the consideration of the authorities of the United States looking toward the reimbursement by them to this State of the moneys so by her heretofore expended and paid in good faith; and,

WHEREAS, The Governor and Secretary of State have heretofore respectively selected and appointed Captain John Mullan as agent and attorney to represent the State of Oregon before the proper authorities of the United States at Washington City, District of Columbia, in the matter of recognition, presentation and collection of the several claims of the State of Oregon against the United States, including the adjustment of all questions between the United States and this State growing out of the several land grants heretofore made by congress to this State; and,

WHEREAS, Captain John Mullan for several years last past has been continuously occupied in securing proper legislation for the recognition by the United States of all such claims and is now diligently collecting and preparing evidence in support thereof with a view to their examination, audit, allowance and ultimate payment by the United States to this State, and in representing and adjusting all land questions that have heretofore and are now constantly arising between the State of Oregon and the United States; therefore,

Be it resolved by the Senate, the House concurring:

That the appointment of Captain John Mullan, heretofore selected by the Governor, Secretary of State and State Treasurer shall audit his accounts for such service and report the same to the next legis-

lative assembly for appropriation; *provided*, no claims be audited that have been passed upon by the legislative of 1885.

Adopted in the senate November 24, 1885.

(Signed)

WILLIAM WALDO,
President of the Senate.

Concurred in by the house November 24, 1885.

(Signed)

W. P. KEADY,
Speaker of the House.

And,

WHEREAS, It appears from the said senate joint resolution that the same was not signed by either the President of the Senate or the Speaker of the House as by law required; and,

WHEREAS, By his certificate dated January 1, 1886, Hon. R. P. Earhart, then acting-Secretary of State of the State of Oregon, did publish in the session laws of said special session, on pages 128-9 thereof and declare the same to be a law of this State this said senate joint resolution; therefore,

Be it resolved by the House:

That a committee consisting of Harrington of Multnomah, Paulsen of Washington, and Bilyeu of Lane be appointed by this house for the purpose of ascertaining by what authority, if any, the said resolution was published.

Said committee are further instructed to investigate what claims, if any, have been audited under said joint resolution and make any further investigations in the premises, and report their findings to this house at as early a date as possible; and for that purpose they are hereby authorized to call for persons and papers, administer oaths and employ such clerical aid as they may deem necessary.

Which resolution was, on motion of Mr. Blundell, adopted.

Mr. Daly also introduced

HOUSE RESOLUTION NO. 38.

WHEREAS, There is before this house a bill to incorporate Grant's Pass, in Josephine county, the provisions of which are unknown to this house; and,

WHEREAS, There is a desire among the residents and property owners in said town that the said bill be printed; therefore, be it

Resolved, That 150 copies of said bill be printed for the information of the house.

Adopted on motion of Mr. Blundell.

The house then resumed the order of business on which it adjourned Friday, viz.: reports of standing committees.

House bill No. 3 reported from committee on counties as follows:

REPORT.

HOUSE OF REPRESENTATIVES,)
SALEM, January 19, 1887. }

Mr. Speaker: Your committee on counties, to whom was referred house bill No. 3, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the amendments hereto annexed.

F. D. McCULLY,
Chairman.

FIRST AMENDMENT.

That section 3 of said bill be amended so as to read as follows:

Section 3. The temporary county seat for Wallowa county shall be located at Joseph in said county until a permanent seat is adopted. At the next general election the question of the location of a county seat shall be submitted to the legal voters of said county, and the place, if any, receiving a majority of all the votes cast at said election shall be the county seat of said county, but if no place shall receive a majority of all the votes cast, the question shall again be submitted to the legal voters of said county between the two places having the highest number of votes at said election at the next general election, and the place receiving the highest number of votes at such election shall be the county seat of said county.

SECOND AMENDMENT.

In line 2 of section 7 strike out the words "January, March, May, July, September and November" and insert in lieu thereof the words "January, April, July and September."

THIRD AMENDMENT.

In line 2 of section 8 of printed bill strike out the word "four" and insert in lieu thereof the word "three."

FOURTH AMENDMENT.

In line two of section 9 strike out the word "two" and insert in lieu thereof the word "one."

FIFTH AMENDMENT.

Insert as section 12 in lieu of section 12 of printed bill the following:

Section 12. It shall be the duty of the superintendent of schools for Union county within sixty days after the appointment of the superintendent of schools of Wallowa county to make out and forward to the said superintendent of schools of Wallowa county a true and correct transcript, or abstract of the annual reports of the clerks of the various school districts embraced within said Wallowa county; and he shall also at the time of making the apportionments of the school fund for the year 1887, apportion to the various school districts within Wallowa county their *pro rata* proportion of said school fund the same as if said county had not been created and organized.

SIXTH AMENDMENT.

That "section 12" of printed bill be changed to "Section 13."

SEVENTH AMENDMENT.

Amend section 10 of said bill as follows: In line 4 "E. E. Taylor, A. C. Smith and R. J. Rogers are" and insert in lieu thereof the words, "the board of county commissioners of Union county is."

EIGHTH AMENDMENT.

In line 5 of said section strike out the words "A board."

NINTH AMENDMENT.

In line 9 of said section after the word "shall" insert the words "employ a competent and."

TENTH AMENDMENT.

Strike out all of section 10 after the period in line 20 following the word "conclusive" and insert in lieu thereof the words, "The expenses incurred by said board of county commissioners and the accountant employed by them shall be borne equally by Union and Wallowa counties."

At request of Mr. Benjamin, the amendments were considered by sections.

On motion of Mr. Hale, amendment to section 3 was adopted.

On motion of Mr. Taylor, amendment to section 7 was adopted.
 On motion of Mr. Holland, amendment to section 8 was adopted.
 On motion of Mr. Taylor amendment to section 9 was adopted.
 On motion of Mr. Crockett amendment to section 12 was adopted.
 On motion of Mr. Roberts, amendment to section 10 was adopted.
 As amended, house bill No. 3 was ordered engrossed and passed to third reading.

REPORT.

HOUSE OF REPRESENTATIVES, }
 SALEM, January 19, 1887. }

Mr. Speaker: Your committee on counties, to whom was referred house bill No. 33, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

F. D. McCULLY,
 Chairman.

So house bill No. 33 was considered engrossed and ordered to third reading.

REPORT.

HOUSE OF REPRESENTATIVES, }
 SALEM, January 19, 1887. }

Mr. Speaker: Your committee on counties, to whom was referred house bill No. 18, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

F. D. McCULLY,
 Chairman.

So house bill No. 18 was considered engrossed and ordered passed to third reading.

REPORT.

HOUSE OF REPRESENTATIVES, }
 SALEM, January 19, 1887. }

Mr. Speaker: Your committee on counties, to whom was referred house bill No. 40, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the annexed amendments:

FIRST AMENDMENT.

Amend section 1 of said bill so as to read as follows:

Section 1. That all that portion of the State of Oregon embraced within the following boundary lines be and the same is hereby created and organized into a separate county by the name of Lee, viz.: Beginning on the boundary line between the State of Oregon and Washington Territory on the range line between ranges thirty-three and thirty-four east of Willamette meridian; thence south on said range line to the main channel of the Umatilla river; thence easterly up the main channel of said resolution [river] to the range line between ranges thirty-four and thirty-five east of Willamette meridian; thence south on said range line to the county line between Umatilla and Union counties; thence following said county line to the boundary between the State of Oregon and Territory of Washington; thence west on said boundary line to the place of beginning.

SECOND AMENDMENT.

Strike out when it occurs in the bill the word Tum-a-lum and insert in lieu thereof the word "Lee"; also strike out in the title the word Tum-a-lum and insert the word Lee in lieu thereof.

THIRD AMENDMENT.

In line 3 of section 6 strike out the words "third Monday of March" and insert in lieu thereof the words "second Monday of January," and also in same line in section 6 strike out the words "first Monday in December" and insert in lieu thereof the words "first Monday in August."

F. D. McCULLY,
Chairman.

On motion of Mr. Crockett, the amendments were adopted and the bill was ordered engrossed and passed to a third reading.

The committee on engrossed bills reported back house bill No. 25.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, January 24, 1887. }

Mr. Speaker: Your committee on engrossed bills, to whom was referred house bill No. 25, authorizing Coos County Transportation

Company to construct locks and tide gates, beg leave to report the same back to the house as correctly engrossed.

J. H. ROBERTS,
Chairman.

On motion of Mr. Roberts, the bill was referred to the committee on corporations.

Committee on public lands reported as follows:

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, January 21, 1887. }

Mr. Speaker: Your committee on public lands, to whom was referred house bill No. 11, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do not pass, as house bill No. 44 covers the same ground.

ROBERT McLEAN,
Chairman.

So house bill No. 11 was considered engrossed and ordered passed to third reading.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, January 21, 1887. }

Mr. Speaker: Your committee on public lands, to whom was referred house bill No. 44, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

ROBERT McLEAN,
Chairman.

And the bill was considered engrossed and ordered to pass to third reading.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, January 20, 1887. }

Mr. Speaker: Your committee on internal improvements, to whom was referred house bill No. 41, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

J. M. STAFFORD,
Chairman.

So the bill was considered engrossed and ordered to pass to third reading.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, January 20, 1887. }

Mr. Speaker: Your committee on agriculture, to whom was referred house bill No. 21, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendments.

A. H. CROOK,
Chairman.

FIRST AMENDMENT.

After the word "fund" in section 4, line 6, insert the words "for a period of two years after it becomes a law."

SECOND AMENDMENT.

Strike out the word "and" in section 4, line 6, and insert the words "After which time the changes."

THIRD AMENDMENT.

Insert as section 10: Inasmuch as there is no law on this subject in this State, this Act shall take effect and be enforced after its approval by the Governor.

On motion of Mr. Paulsen, the amendments were adopted and the bill ordered to the engrossing committee.

The house then returned to the regular order of business.

INTRODUCTION AND FIRST READING OF BILLS.

By Mr. Richardson. House bill No. 175, for relief of N. G. McDonald.

By Mr. Pomeroy. House bill No. 176, to provide for protection of deer and elk.

By Mr. Gubser. House bill No. 177, to fix salaries of county school superintendents.

By Mr. Holland. House bill No. 178, creating the eighth judicial district of Oregon.

By Mr. Johnson. House bill No. 179, to provide for the compensation of judges and clerks of registration in Grant county, Oregon.

By Mr. Johnson. House bill No. 180, to appropriate money for erection of school house in district No. 4, Grant county, Oregon.

By Mr. Davis. House bill No. 181, granting Colonel Vancleve right to build and operate ferry on Yaquina bay.

By Mr. Davis. House bill No. 182, to appropriate money to build a wagon road over or around Cape Perpetua.

By Mr. Pendleton. House bill No. 183, to protect wool growers and for the confiscation of dogs.

By Mr. Biggs. House bill No. 184, to protect salmon and other food fish.

By Mr. Gay. House bill No. 185, making the construction of wire fences without guards a misdemeanor.

By Mr. Thompson. House bill No. 186, to amend an Act to define the southern boundary of Linn county.

By Mr. McLean. House bill No. 187, to procure detection and punishment of fraud in procurement of title to swamp and overflowed land.

By Mr. Smith. House bill No. 188, to regulate the sale of spirituous, malt and vinous liquors.

By Mr. McLean. House bill No. 189, for repairing and rebuilding wagon road from Lakeview to Ashland and to appropriate money therefor.

By Mr. Benjamin. House bill No. 190, to appropriate money to aid county and district agricultural associations.

By Mr. Taylor. House bill No. 191, regulating town sites.

By Mr. R. A. Miller. House bill No. 192, to encourage normal instruction in literary institutions.

By Mr. Thompson. House bill No. 193, defining in what justices' courts a criminal prosecution may be instituted.

Mr. Gubser offered

HOUSE RESOLUTION NO. 37.

WHEREAS, The Morning Oregonian of the 20th inst. contained the following matter, to-wit:

There are rumors to-night of a forthcoming scandal in connection with the employment of women clerks. It is whispered that a committee chairman in disposing of a clerkship made or proposed to a young woman who applied to him a dishonorable condition of employment. An effort is being made to investigate the matter quietly, and if positive evidence can be found the man implicated will be charged before the bar of the branch to which he belongs and a motion made for his expulsion.

And,

WHEREAS, The issue of the Morning Oregonian of the 21st inst. reiterated the statement in the following terms, to-wit:

SALEM, January 20.—In the house this morning McLean of Klamath introduced a resolution reciting that there was a paragraph in the Oregonian correspondence from Salem reflecting against the honor of a member of the legislature, not named, and providing for a committee of three to investigate the matter. In presenting the resolution Mr. McLean made a speech, in which he dealt severely with what he called loose scribbling, and made an impression (contrary to his sentiments and purpose, as he has since explained to me) that it was the newspaper rather than the culprit that he sought to expose. Some discussion, which is fully reported below, followed, and a vote being taken on the motion to adopt the resolution was lost. Since that time the scandal has been the chief topic of conversation, and from opinions expressed this afternoon I am led to believe that another motion for an investigation will be made tomorrow and that it will carry.

The whole story is an open secret among the members, and it was from information most positively expressed by the representatives that my dispatch was based last night.

The story is as follows: Two young women were informed by a committee chairman to whom they applied for clerical work that they would be employed upon certain dishonorable conditions. Both refused with scorn and immediately informed their friends, who secured other clerkships for them. Three members of the house have told me that they knew this story to be true. I am in possession of the name of the member against whom the charge is made, and of the young woman involved, but think it best to leave it with the legislature to make its own exposure. The committee chairman came to me this afternoon and asked if the charge was meant for him. I replied that it was, and he declared that the whole matter grew out of a joke. The friends of the young women say that this cannot possibly be so. The matter is now in the hands of the legislature, and it remains to be seen if it thinks a charge of gross immorality against a member in his official relations is worth its attention.

Therefore, be it resolved by the this house, That the committee on judiciary be and are hereby directed to investigate said matters and to ascertain if any member of this body is guilty of the dishonorable conduct therein alleged, and that said committee in making such investigation be authorized to subpoena and compel the attendance of witnesses and to administer oaths, and if said committee find said charge true, and that any member of this house has been guilty of such dishonorable conduct, that they shall report the facts to this house, and that said committee shall enter at once upon the duties enjoined by this resolution, and that they report the matter back to this house with all convenient speed.

Mr. Gubser moved the adoption.

Messrs. Gubser and Benjamin called for the ayes and nays.

Mr. Benjamin offered a substitute as follows:

Resolved by this house, That the correspondent of the Oregonian be required to divulge the names of the persons reporting the matter so published in the Oregonian pertaining to the scandal given publicity by that journal, and until the names of those persons giving such scandalous reports are given us this house will treat such reports as false.

Mr. Thompson moved the adoption of the substitute.

Messrs. Bilyeu and Daly demanded the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Thompson—2.

Nays—Messrs. Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Gay, Holland, Hale, Henry, Hansard, Hicks, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Taylor, Wilson, Wilcox, Mr. Speaker—54.

Absent—Messrs. Goodsell, Harris, McLean, Vanderpool—4.

So the motion to adopt the substitute was lost.

The vote recurring on house resolution No. 37, Mr. McLean desired to be excused from voting to the effect that he thought he had done all that was required of him by introducing the resolution asking for investigation on a former occasion.

Mr. R. A. Miller moved that Mr. McLean be excused, which motion was lost.

Mr. Thompson explained his vote.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Gay, Holland, Hale, Henry, Hansard, Hicks, Holmes, Haley, Kruse, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Wilson, Wilcox, Mr. Speaker—53.

Nays—Messrs. Harrington, Johnson, Lockett, Miller of Linn—4.

Absent—Messrs. Goodsell, Harris, Vanderpool—3.

And so house resolution No. 37 was declared adopted.

On motion of Mr. Blundell, the Sergeant-at Arms was instructed to provide Hon. G. W. Riddle with a seat within the bar.

House bill No. 164 read first time.

House bill No. 165 read first time.

House bill No. 166 read first time.

House bill No. 167 read first time.

House bill No. 165 tabled on motion of Mr. Bilyeu.

The Chair announced as committee on part of the house on board of investigation matters, Messrs. Hicks, McCully and Mitchell.

Mr. McLean moved to suspend the rules and allow house bill No. 168 to be read first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Henry, Hansard, Hicks, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Wilson, Wilcox, Mr. Speaker—52.

Nays—None.

Absent—Messrs. Crook, Goodsell, Gay, Holland, Hale, Harris, Munger, Vanderpool—8.

So the rules were suspended and house bill No. 168 was read first time by title only.

On motion of Mr. McLean, house bill No. 168 was ordered not printed.

Mr. Bilyeu moved to suspend the rules and allow house bill No. 169 to be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Gay, Holland, Henry, Hansard, Hicks, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Wilson, Wilcox, Mr. Speaker—54.

Nays—None.

Absent—Messrs. Crook, Goodsell, Hale, Harris, Paulsen and Vanderpool—6.

So the rules were suspended and house bill No. 169 was read first time by title only.

Mr. Bilyeu moved that the rules be further suspended so as to allow house bill No. 169 to be read second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crockett, Culver, Davis, Daly, Gard, Gubser, Gay, Hale, Henry, Hansard, Hicks, Harrington, Holmes, Haley, Johnson, Kruse,

Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osburn, Pomeroy, Palmer, Pendleton, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Wilson, Wilcox, Mr. Speaker—54.

Nays—None.

Absent—Messrs. Crook, Goodsell, Holland, Harris, Paulsen and Vanderpool—6.

So the rules were suspended and house bill No. 169 read second time by title.

And on motion of Mr. Bilyeu, the bill was referred to committee on corporations.

House bill No. 170 read first time.

Mr. Gubser moved to suspend the rules and allow house bill No. 171 to be read first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Gay, Holland, Hale, Henry, Hansard, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Richardson, Stafford, Swank, Smith, Thompson, Taylor, Wilson, Wilcox, Mr. Speaker—51.

Nays—None.

Absent—Messrs. Crook, Goodsell, Hicks, Harris, Munger, Paulsen, Roberts, Summers, Vanderpool—9.

So the rules were suspended and house bill No. 171 was read first time by title only.

House bill No. 172 read first time.

House bill No. 173 read first time.

Mr. Harrington moved to suspend the rules and read house bill No. 173 second time now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Gay, Holland, Hale, Henry, Hansard, Hicks, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Wilson, Wilcox, Mr. Speaker—55.

Nays—None.

Absent—Messrs. Goodsell, Harris, Lafollett of Marion, McLean, Vanderpool—5.

So the rules were suspended and house bill No. 173 was read second time by title.

On motion of Mr. Harrington, was referred to committee on judiciary.

House bill No. 174 read first time.

House bill No. 175 read first time.

Mr. Richardson moved to suspend the rules and read house bill No. 175 second time now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Gay, Holland, Hale, Henry, Hansard, Hicks, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Wilson, Wilcox, Mr. Speaker—54.

Nays—None.

Absent—Messrs. Benjamin, Goodsell, Harris, Miller of Linn, Roberts, Vanderpool—6.

So the rules were declared suspended and house bill No. 175 read second time, and was on motion of Mr. Richardson referred to committee on claims.

House bill No. 176 read first time.

House bill No. 177 read first time.

House bill No. 178 read first time.

House bill No. 179 read first time.

House bill No. 180 read first time.

House bill No. 181 read first time.

House bill No. 182 read first time.

House bill No. 183 read first time.

House bill No. 184 read first time.

House bill No. 185 read first time.

Petitions from Marion county citizens were presented on the following subjects: On fences, game birds, Mongolian pheasants.

On motion of Mr. Summers, the house adjourned.

TUESDAY, JANUARY 25, 1887.

MORNING SESSION.

HOUSE OF REPRESENTATIVES,
SALEM, January 25, 1887. }

House called to order at 9:30 A. M., the Speaker in the chair.

Prayer by Rev. Mr. Newell of Salem.

Roll called and those absent were Messrs. Harris, Summers and Vanderpool.

Mr. Vanderpool absent on leave.

On request of Mr. Davis, Mr. Vanderpool's leave of absence was continued until to-morrow.

The journal was then read and approved.

Mr. Crockett moved that the amendment to house bill No. 40 be changed so that the word resolution where it occurs in describing boundaries be struck out and the word river be substituted, and that the engrossing committee take cognizance of this motion to change.

Carried, and the committee instructed by the Chair.

There being no objection, Mr. Culver offered

HOUSE RESOLUTION NO. 38.

Resolved, That the petitions from A. S. Matteson, Henry Keene and others relative to the fence law, the trespass law, the law protecting mongolian pheasants and the protection of insectivorous birds be referred to a special committee of three with a request to report by bill or otherwise.

On motion of Mr. Daly, house resolution No. 38 was adopted.

Petitions from Albina presented and read.

Mr. Goodsell introduced house bill No. 194, authorizing Tillamook Lumbering Company to construct and maintain booms.

By Mr. Mackay. House bill No. 195, to regulate fire and marine insurance.

By Mr. Bilyeu. House bill No. 196, to regulate foreign and domestic insurance companies.

Mr. McLean called up house joint resolution No. 1, which was on motion of Mr. Bowditch referred to committee on public lands.

House bill No. 186 read first time.

House bill No. 187 read first time.

Mr. Smith moved to suspend the rules and allow house bill No. 188 to be read first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hicks, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Wilson, Wilcox, Mr. Speaker—57.

Nays—None.

Absent—Messrs. Hansard, Harris, Vanderpool—3.

So the rules were declared suspended and house bill No. 188 was read first time by title only.

Mr. Smith then moved to further suspend the rules and allow house bill No. 188 to be read second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Gay, Holland, Hale, Henry, Hansard, Hicks, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Wilson, Wilcox, Mr. Speaker—55.

Nays—None.

Absent—Messrs. Crook, Goodsell, Harris, Munger, Vanderpool—5.

So the rules were suspended and house bill No. 188 was read second time by title.

On motion of Mr. Paulsen, the house ordered two hundred copies of house bill No. 188 to be printed for the house.

On motion of Mr. Smith, the bill was referred to committee on alcoholic traffic.

The chairman of engrossing committee made the following

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, January 25, 1887. }

Mr. Speaker: Your committee on engrossed bills, to whom was

referred house bill No. 22, beg leave to report the same back to the house as correctly engrossed.

J. H. ROBERTS,
Chairman.

Mr. Goodsell moved to re-refer house bill No. 22 to committee on corporations for further amendment.

And the motion prevailed.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, January 25, 1887. }

Mr. Speaker: Your committee on engrossed bills, to whom was referred house bill No. 3, beg leave to report the same back to the house as correctly engrossed.

J. H. ROBERTS,
Chairman.

So the bill was ordered to pass to third reading.

The enrolling committee reported as follows:

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, January 24, 1887. }

Mr. Speaker: Your committee on enrolled bills, to whom was referred house joint resolution No. 7, beg leave to report the same back to the house as correctly enrolled.

JOHN WILSON,
Chairman.

The Chair announced that he was about to sign house joint resolution No. 7, and subsequently that he had signed.

The enrolling committee reported as follows:

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, January 25, 1887. }

Mr. Speaker: Your committee on enrolled bills, to whom was referred house joint resolution No. 61, beg leave to report the same back to the house as correctly enrolled.

JOHN WILSON,
Chairman.

And the chair announced that he was about to sign house joint resolution No. 6, and that he had signed it.

House bill No. 189 read first time.

House bill No. 190 read first time.

Under house resolution No. 38 the Chair announced committee, Messrs. Culver, Little and Swank.

House bill No. 191 read first time.

House bill No. 192 read first time.

House bill No. 193 read first time.

House bill No. 194 read first time.

Mr. Mackay moved to suspend the rules and read house bill No. 195 first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Wilcox, Mr. Speaker—54.

Nays—None.

Absent—Messrs. Benjamin, Crook, Mitchell, Roberts, Vanderpool, Wilson—6.

So the rules were suspended and house bill No. 195 read the first time by title only.

Mr. Bilyeu moved suspension of the rules to allow house bill No. 196 to be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Wilson, Wilcox, Mr. Speaker—55.

Nays—None.

Absent—Messrs. Benjamin, Crook, Mitchell, Roberts, Vanderpool—5.

So the rules were suspended and house bill No. 196 read first time by title only.

The Chair announced in order the

SECOND READING OF BILLS.

House bill No. 43 was read second time.

Mr. Wilson moved to amend house bill No. 43 in section 2, line 3 of printed bill to read 45 instead 46.

The amendment was adopted and house bill No. 43 was referred to committee on education.

House bill No. 46 was read second time.

On motion of Mr. Roberts, amended to read 1887 instead of 1885 in section 3 after the clause the since the first day of March, and considered engrossed and passed to third reading.

House bill No. 47 read second time.

On motion of Mr. McCully, referred to committee on roads and highways.

House bill No. 48 read second time.

On motion of Mr. McCully, referred to committee on judiciary.

House bill No. 49 read second time.

On motion of Mr. McLean, referred to committee on alcoholic traffic.

House bill No. 50 read second time.

On motion of Mr. Roberts, referred to committee on ways and means.

House bill No. 57 read second time.

Ordered considered engrossed and passed to third reading.

House bill No. 52 read second time.

On motion of Mr. Gay, referred to committee on counties.

Mr. Gay presented petition from citizens of Morrow county.

House bill No. 53 read second time.

On motion of Mr. Crockett, referred to committee on roads and highways.

House bill No. 54 read second time.

On motion of Mr. Daly referred to committee on internal improvements.

House bill No. 55 read second time.

Referred to committee on federal relations.

On motion of Mr. Daly, the house went into committee of the whole on house bill No. 4.

Mr. Daly in the chair.

After discussion of the bill, the committee arose and made to the house the following

REPORT.

STATE HOUSE,
SALEM, January 25, 1887. }

Mr. Speaker : Your committee of the whole would report that we have considered house bill No. 4, and now report it back to the house with the recommendation that it be referred with the following amendment to the committee on education.

JOHN J. DALY,
Chairman Committee of Whole.

AMENDMENT.

Amend house bill No. 4 in section 2 by adding to concluding portion of said section the following: *Provided, however,* that any student admitted into said university in conformity with the requirements of this Act shall pay a fee of \$5, which said sum shall be applied to the literary fund.

Which report was on motion of Mr. Daly adopted.

Referred to committee on education.

Mr. Bowditch moved to adjourn, which motion was lost.

On motion of Mr. Thompson, the house made the following special order: That the house go into committee of the whole house at 2 P. M. this day to consider house bill No. 153.

At the request of Mr. Summers, the members of the committee on penitentiary were excused from session of the house this afternoon.

On motion of Mr. Bilyeu the house adjourned.

AFTERNOON SESSION.

House called to order at 1:30 P. M., the Speaker in the chair.

The roll was called and those absent were Messrs. Holland, Kruse, Lafollett of Yamhill, McKenzie, Mackay, Roberts, Summers and Vanderpool.

By consent the committee on corporations reported back house bill No. 22 with the following

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, January 25, 1887. }

Mr. Speaker : Your committee on corporations, to whom was referred house bill No. 22, beg leave to report that they have had the

same under consideration, and would respectfully report it back to the house with the recommendation that it do pass as amended.

AMENDMENT.

That subdivision 2 of section 18 be amended to read as follows:

2. To assess and collect taxes not to exceed two and one-half mills upon each dollar per annum upon all taxable property within the corporate limits; the assessed valuation for such taxation when possible shall be taken from and be the same as the preceding year's county assessment of Multnomah county, and to collect a road tax from all property in said corporation equal to that now levied by law for road purposes, to be expended on the highways, streets and alleys within said corporation under the supervisor to be appointed by the council; *provided*, that the citizens of said city shall be exempt from the same taxes for county purposes.

R. R. LAUGHLIN,
Chairman.

On motion of Mr. Goodsell, the amendments to house bill No 22 were adopted and the bill was ordered to the engrossing committee.

House bill No. 56 was read second time.

Mr. Roberts moved to refer to committee on ways and means.

Lost.

Mr. Goodsell moved the bill be referred to committee on Indian affairs.

Carried.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, January 25, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed senate bill No. 6, a bill for an Act to amend section 347, title 4, chapter 4 of the code of civil procedure.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Senate bill No. 6 was read first time and passed to second reading without question.

House bill No. 57 read second time.

On motion of Mr. Johnson, was referred to committee on claims.

House bill No. 58 read second time.

On motion of Mr. Paulsen, was referred to committee on commerce.

Mr. Blundell moved to suspend the rules and read house bill No. 59 second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Gay, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Roberts, Richardson, Stafford, Swank, Smith, Thompson, Taylor, Wilson, Wilcox, Mr. Speaker—53.

Nays—None.

Absent—Messrs. Bowditch, Goodsell, Holland, McKenzie, Paulsen, Summers, Vanderpool—7.

So the rules were suspended and house bill No. 59 was read second time by title only.

On motion of Mr. Benjamin, referred to committee on education.

Mr. Benjamin moved to suspend the rules and allow house bill No. 60 to be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Gay, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Roberts, Richardson, Stafford, Swank, Smith, Thompson, Taylor, Wilson, Wilcox, Mr. Speaker—54.

Nays—None.

Absent—Messrs. Goodsell, Holland, McKenzie, Paulsen, Summers and Vanderpool—6.

So the rules were suspended and house bill No. 60 was read second time by title only.

On motion of Mr. Benjamin, the Sergeant-at-Arms was instructed to provide Hon. J. C. Fullerton with a seat inside the bar.

On motion of Mr. Benjamin, house bill No. 60 was referred to the committee on education.

The hour of 2 o'clock having arrived, the Speaker announced special order of business, and on motion of Mr. Thompson the house

went into committee of the whole to consider house bill No. 153 with Mr. Thompson in the chair.

After discussion the committee of the whole arose and made the following

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, January 25, 1887. }

Mr. Speaker: The committee of the whole, to whom was referred the consideration of house bill No. 153, would recommend that the bill be referred to the committee on assessment and taxation.

S. G. THOMPSON,
Chairman Committee of the Whole.

And on motion of Mr. Goodsell, the report was adopted.

On motion of Mr. Bowditch, Hon. J. M. McCall was invited to a seat within the bar.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, January 25, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed senate bill No. 119, being a bill for an Act to incorporate Baker City, Baker county, Oregon.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Mr. Goodsell moved to suspend the rules and read senate bill No. 119 first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Miller of Jackson, Miller of Linn, Mitchell, Munger, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Smith, Thompson, Taylor, Wilson, Wilcox, Mr. Speaker—53.

Nays—None.

Absent—Messrs. Bowditch, Holland, Maxwell, McLean, McKenzie, Summers, Vanderpool—7.

So the rules were suspended and senate bill No. 119 was read first time by title only and passed to a second reading without a question.

House bill No. 61 read second time.

On motion of Mr. Mayer referred to committee on education.

Mr. Bilyeu moved to suspend the rules and allow house bill No. 62 read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Hale, Henry, Hansard, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Richardson, Stafford, Swank, Smith, Thompson, Taylor, Wilson, Wilcox, Mr. Speaker—52.

Nays—None.

Absent—Messrs. Blevins, Crook, Holland, Hicks, Miller of Jackson, Roberts, Summers, Vanderpool—8.

So the rules were suspended and house bill No. 62 was read second time by title only.

And on motion of Mr. Thompson, the bill was referred to committee on education.

Committee on engrossed bills made the following

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, January 25, 1887. }

Mr. Speaker: Your committee on engrossed bills, to whom was referred house bill No. 21, beg leave to report the same back to the house as correctly engrossed.

J. H. ROBERTS,
Chairman.

House bill No. 64 read second time.

On motion of Mr. Daly, referred to committee on roads and highways.

House bill No. 65 read second time.

On motion of Mr. Haley was referred to committee on assessment and taxation.

Mr. Lockett moved to suspend the rules and allow house bill No. 66 to be read second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Henry, Hansard, Hicks, Harris, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, Mackay, McCully, Noyer, Osburn, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Smith, Thompson, Taylor, Wilson, Wilcox, Mr. Speaker—52.

Nays—None.

Absent—Messrs. Crook, Holland, Hale, Harrington, McKenzie, Pomeroy, Summers, Vanderpool—8.

So the rules were suspended and house bill No. 66 was read second time by title only.

On motion of Mr. Lockett, referred to committee on counties.

House bill No. 67 read second time.

On motion of Mr. Lockett, was referred to committee on roads and highways.

House bill No. 68 read second time.

On motion of Mr. Mayer, was referred to committee on judiciary.

House bill No. 69 was read second time.

Mr. Wilcox moved to refer to committee on counties with leave to report at any time.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Gay, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, McLean, Munger, Mackay, McCully, Osborn, Pomeroy, Palmer, Pendleton, Roberts, Richardson, Stafford, Swank, Smith, Thompson, Taylor, Wilson, Wilcox, Mr. Speaker—51.

Nays—None.

Absent—Messrs. Crook, Goodsell, Holland, Hale, Mitchell, McKenzie, Paulsen, Summers, Vanderpool—9.

So the bill was referred with leave to report at any time.

House bill No. 70 read second time.

On motion of Mr. Little, was referred to committee of judiciary.

House bill No. 71 read second time.

On motion of Mr. Davis, referred to committee on public lands.

Mr. Bilyeu moved to suspend the rules and allow house bill No. 72 to be read second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Linn, McLean, Munger, Mackay, McCully, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Smith, Thompson, Taylor, Wilson, Wilcox, Mr. Speaker—50.

Nays—None.

Absent—Messrs. Crook, Holland, Hale, Johnson, Miller of Jackson, Mitchell, McKenzie, Noyer, Summers, Vanderpool—10.

So the rules were suspended and house bill No. 72 was read second time by title.

On motion of Mr. Benjamin, the bill was referred to committee on education.

House bill No. 73 was read second time.

On motion of Mr. Bilyeu, referred to committee on judiciary.

By consent, Mr. Daly introduced

HOUSE RESOLUTION NO. 89.

Be it resolved, That the Chief Clerk of the house be instructed to procure from the Secretary of State the constitutional amendments that passed the house at the session of 1885.

Mr. Daly moved to adopt.

Carried.

Mr. Mayer moved to suspend the rules to allow house bill No. 74 to be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Richardson, Stafford, Swank, Smith, Thompson, Taylor, Wilcox, Mr. Speaker—53.

Nays—None.

Absent—Messrs. Holland, Johnson, McKenzie, Roberts, Summers, Vanderpool, Wilson—7.

So the rules were suspended and house bill No. 74 was read second time by title only.

On motion of Mr. Mayer, the bill was referred to committee on fishing.

House bill No. 75 was read second time.

On motion of Mr. Bilyeu, was referred to the committee on judiciary.

House bill No. 76 read second time.

On motion of Mr. Biggs, referred to judiciary committee.

House bill No. 77 read second time.

On motion of Mr. Paulsen, referred to committee on judiciary.

House bill No. 78 read second time.

Mr. Noyer moved to refer to committee on judiciary.

Mr. Goodsell moved to amend by referring to special committee on insane asylum.

The amendment was adopted, so the question recurred on the motion to refer as amended.

Carried.

House bill No. 79 read second time.

On motion of Mr. Munger, referred to committee on judiciary.

House bill No. 80 read second time.

On motion of Mr. Thompson, referred to committee on agriculture.

House bill No. 81 was read second time.

Mr. Lockett offered to amend by excepting Baker county.

The amendment was adopted on the motion of Mr. Goodsell.

Mr. Johnson offered to amend by excepting Grant county.

The amendment was adopted on the motion of Mr. Lockett.

Mr. Taylor offered to amend by excepting Union county, and on motion of R. A. Miller the amendment was adopted.

And the bill as amended was on motion of Mr. Thompson referred to the committee on agriculture.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, January 25, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed senate bill No. 7, being a bill for an Act to protect the improvement of cattle.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Senate bill No. 7 was read first time and passed to second reading without question.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, January 25, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed senate bill No. 10, being a bill for an Act to reimburse certain counties.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Senate bill No. 10 was read first time and passed to second reading without question.

Mr. Taylor moved to suspend the rules and read senate bill No. 7 second time now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Smith, Thompson, Taylor, Wilson, Wilcox, Mr. Speaker—54.

Nays—None.

Absent—Messrs. Holland, Hale, Munger, McKenzie, Summers, Vanderpool—6.

So the rules were suspended and senate bill No. 7 was read second time by title now.

On motion of Mr. Taylor, the bill was referred to committee on agriculture.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, January 25, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed senate bill No. 37, being a bill for an Act to provide for the official publication of the decisions of the supreme court.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Senate bill No. 37 read first time and passed to second reading without question.

On motion of Mr. Pomeroy, Hon. Geo. H. Durham was escorted by the Sergeant-at-Arms to a seat within the bar.

House bill No. 82 read second time.

On motion of Mr. Swank, referred to committee on roads and highways.

On motion of Mr. Bilyeu, the house adjourned.

A. C. JENNINGS,
Chief Clerk.

WEDNESDAY, JANUARY 26, 1887.

MORNING SESSION.

HOUSE OF REPRESENTATIVES,
SALEM, January 26, 1887. }

House called to order at 9:30 A. M., Speaker in the chair.

Prayer by Rev. S. P. Wilson of Eugene.

Roll called and Mr. Vanderpool was absent on leave.

Leave of absence till to-morrow was granted to Mr. Vanderpool at request of Mr. Davis.

Journal of yesterday read and approved.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, January 25, 1887. }

Mr. Speaker: I am directed by the President to inform you that he has signed house joint resolution No. 6, also house joint resolution No. 7.

And the same are herewith returned.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, January 25, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed senate bill No. 20, being a bill for an Act to

prevent frauds in obtaining certificates of registration of cattle, horses, etc.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Senate bill No. 20 read first time and passed to second reading without a question.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, January 26, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed senate bill No. 17, being a bill for an Act to amend section 6, chapter 49 of the miscellaneous laws of Oregon.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Senate bill No. 17 read first time and passed to second reading without a question.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, January 25, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed senate bill No. 11, being a bill for an Act to amend section 3, title 1, chapter 20 of miscellaneous laws.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Senate bill No. 11 read first time and passed to second reading without question.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, January 26, 1887. }

Mr. Speaker: I am directed by the President to inform you that

the senate has passed senate bill No. 16, being a bill for an Act to incorporate the town of Prineville.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Senate bill No. 16 read first time and passed to second reading without question.

The committee on engrossed bills made the following

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, January 25, 1887. }

Mr. Speaker: Your committee on engrossed bills, to whom was referred house bill No. 22, beg leave to report the same back to the house as correctly engrossed.

J. H. ROBERTS,
Chairman.

House bill No. 22 passed to third reading in its order.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, January 26, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed senate bill No. 3, being a bill for an Act to incorporate the town of Cottage Grove.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Mr. R. A. Miller moved to suspend the rules and read senate bill No. 3 first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of

Linn, Mitchell, McLean, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Wilson, Mr. Speaker—55.

Nays—Mr. Munger—1.

Absent—Messrs. Crook, Hale, Vanderpool, Wilcox—4.

So the rules were suspended and senate bill No. 3 was read first time by title only and passed to second reading without question.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, January 26, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed senate bill No. 84, being a bill for an Act to amend an Act incorporating the city of Albany.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Mr. R. A. Miller moved to suspend the rules and read senate bill No. 84 first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Wilson, Mr. Speaker—56.

Nays—None.

Absent—Messrs. Crook, Harrington, Wilcox and Vanderpool—4.

So the rules were suspended and senate bill No. 84 was read first time by title only and passed to a second reading without a question.

On motion of Mr. Summers, house bill No. 32 was recommitted to the Multnomah delegation.

On motion of Mr. Pomeroy, house bill No. 45 was recommitted to judiciary committee.

Mr. Munger introduced house resolution No. 40 as follows:

HOUSE RESOLUTION NO. 40.

There is no committee for the special purpose of considering bills relating in whole or in part to labor; therefore,

Resolved, That a special committee of five be appointed by the Speaker, to whom all bills that affect labor directly or indirectly shall be referred.

Mr. Harrington moved the adoption, which motion carried.

Mr. Palmer introduced house joint memorial No. 3, as follows:

HOUSE JOINT MEMORIAL NO. 3.

To the Honorable the Congress of the United States:

Your memorialists, the legislative assembly of the State of Oregon, at its fourteenth regular session would respectfully represent that,

WHEREAS, There has been within the past four years some serious wrecks upon our coast near to and within a few miles of the mouth of the Umpqua river, whereby several persons have lost their lives and much misery caused to many others; and that some two years since a new tugboat while ascending said river ran aground on a sunken ledge of rocks in the apparent channel of the said Umpqua river, but by timely assistance was rescued without serious damage; and that,

WHEREAS, There is a good channel of at least twenty feet in depth from the bar of the said Umpqua river to the town of Gardiner, some ten miles from said bar, and the shipping interest is one of the most important industries of Douglas county; therefore, be it

Resolved, That the said Umpqua river be buoyed from the said bar up as far as the town of Gardiner in said river in order to prevent the recurrence of disasters similar to that hereinbefore mentioned and which have every chance of a disastrous ending, owing to the fact that the channel of the river at the present time is indistinguishable to strange shipping, and that our Senators and Representative in congress be hereby solicited to use all honorable means to secure an appropriation of money from the General Government sufficient to provide for the establishment of buoys in said river and also for the purpose of securing a site for and of constructing a lighthouse at or near the mouth of the said Umpqua river.

That the Governor be requested to transmit a copy of the foregoing resolutions to each of our Senators and to our Representative in congress.

On motion of Mr. Maxwell, the memorial was adopted.

Mr. Harrington presented remonstrances from citizens of Sellwood.
Mr. Goodsell presented petitions from citizens of Sellwood.
Joint committee on State treasury affairs made the following

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, January 26, 1887. }

Mr. Speaker: We, your committee appointed to examine the books of the State Treasurer, to whom was referred house concurrent resolution No. 11 to report the amount of the irreducible school fund of the State now on hand and the amount on hand at the first of each month during the last year, and also to report the number of applications to borrow money from said fund during the last year, the number and amount of loans made and the number of applications rejected during the same period and the grounds of the rejection, beg leave to report:

First. The amount of cash of said fund now on hand is \$26,236 72.

Second. The amount on hand January 1, 1886, was \$28,018 64.

The amount on hand February 1, 1886, was \$21,608 64.

The amount on hand March 1, 1886, was \$26,464 64.

The amount on hand April 1, 1886, was \$31,220 09.

The amount on hand May 1, 1886, was \$28,070 09.

The amount on hand June 1, 1886, was \$29,557 45.

The amount on hand July 1, 1886, was \$15,880 55.

The amount on hand August 1, 1886, was \$28,648 97.

The amount on hand September 1, 1886, was \$26,348 97.

The amount on hand October 1, 1886, was \$21,593 93.

The amount on hand November 1, 1886, was \$46,037 83.

The amount on hand December 1, 1886, was \$39,256 34.

Second. There were (135) one hundred and thirty-five applications made to borrow money from said fund during the year.

Third. There were (126) one hundred and twenty-six loans made during the past year amounting to \$168,343 94.

Fourth. There were no applications made to the board of school land commissioners which were rejected.

Fifth. There were nine applications made to said board to borrow in all \$13,675 from said fund on which no action has been taken, for the reason that the applicants' titles to said land is not perfect or the securities not perfected.

Respectfully submitted,

J. H. ROBERTS,
Chairman.

On motion of Mr. McCully, the house adopted the report.

House bill No. 83 read second time.

Mr. Hansard moved to refer to committee on agriculture.

Mr. Culver moved to amend by saying special committee on State board of agriculture.

The amendment was carried and the motion as amended was adopted.

So house bill No. 83 was referred to special committee on State board of agriculture.

On motion of Mr. Culver, Hon. C. A. Reed was escorted within the bar by the Sergeant-at-Arms.

House bill No. 84 was read second time.

On motion of Mr. Richardson, referred to judiciary committee.

House bill No. 85 read second time.

On motion of Mr. Maxwell, referred to committee on agriculture.

House bill No. 86 read second time.

On motion of Mr. Wilson, was referred to committee on claims.

House bill No. 87 read second time.

On motion of Mr. Culver, referred to judiciary committee.

House bill No. 88 read second time.

On motion of Mr. Wilson, referred to committee on education.

Mr. Gubser moved to suspend the rules and read house bill No. 89 second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Crockett, Daly, Gard, Gubser, Goodsell, Holland, Henry, Hansard, Hicks, Harris, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Wilson, Wilcox, Mr. Speaker—53.

Nays—None.

Absent—Messrs. Crook, Davis, Gay, Hale, Harrington, Roberts, Vanderpool—7.

So the rules were suspended and house bill No. 89 was read second time by title only.

On motion of Mr. Gubser, the bill was referred to committee on education.

House bill No. 90 read second time.

On motion of Mr. R. A. Miller, referred to committee on claims.

House bill No. 91 read second time.

On motion of Mr. R. A. Miller, referred to committee on roads and highways.

House bill No. 92 read second time.

On motion of Mr. Culver, referred to judiciary committee.

House bill No. 93 read second time.

On motion of Mr. Wilcox, referred to committee on counties.

House bill No. 94 read second time.

On motion of Mr. Henry, referred to committee on education.

Communication from the Secretary of State.

COMMUNICATION.

OFFICE OF THE SECRETARY OF STATE,
SALEM, OREGON, January 26, 1887. }

To the Honorable the House of Representatives of the Fourteenth Biennial Session of the Legislative Assembly of the State of Oregon :

GENTLEMEN: In accordance with the authority given me by house resolution No. 39 of your honorable body, I herewith deliver to your Chief Clerk the original house joint resolution No. 2, containing a proposed amendment to the constitution of the State of Oregon which passed both houses of the thirteenth biennial legislative assembly of the State of Oregon at the regular session of said assembly.

I also deliver to your Chief Clerk the original enrolled senate joint resolution No. 12, containing a proposed amendment to the constitution of the State of Oregon which passed both houses of said assembly at said regular session.

I also deliver to your Chief Clerk the original enrolled house joint resolution No. 1, containing a proposed amendment to the constitution of the State of Oregon, which passed both houses of the thirteenth biennial legislative assembly of the State of Oregon at the special session of said assembly held November, A. D. 1885.

I have the honor to remain

Your obedient servant,

GEO. W. McBRIDE,
Secretary of State.

There was then submitted to the house the following house joint resolution No. 2 of the thirteenth biennial assembly, viz.:

HOUSE JOINT RESOLUTION NO. 2.

Resolved by the House, the Senate concurring :

That the following amendment to the constitution of the State of Oregon be and is hereby proposed :

ARTICLE XIX.

Section 1. The manufacture, sale or the giving away or the offering to sell or give away or the keeping for sale of any spirituous, vinous, malt, distilled, fermented or any intoxicating liquors whatever is prohibited in this State, except for medicinal, scientific or mechanical purposes.

Section 2. The legislative assembly shall provide by law in what manner, by whom and at what places such liquors or any of them shall be manufactured or sold or kept for sale for medicinal, scientific or mechanical purposes.

Section 3. This amendment shall take effect and be in full force in six months from the date of its ratification by the electors.

Section 4. The legislative assembly shall without delay pass all necessary laws with sufficient penalties necessary to enforce this amendment.

Adopted by the house February 2, 1885.

(Signed)

W. P. KEADY,
Speaker of the House.

Concurred in by the senate February 9, 1885.

(Signed)

WM. WALDO,
President of the Senate.

Mr. Speaker: I move that this house do now agree to and adopt house joint resolution No. 2 of the thirteenth general assembly, proposing an amendment to the constitution of the State of Oregon as article 19, and reported to this house by the Secretary of State this day.

W. F. BENJAMIN.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Wilcox, Mr. Speaker—55.

Nays—Messrs. Harris, Harrington and Wilson—3.

Absent—Messrs. Biggs and Vanderpool—2.

So the resolution was adopted.

HOUSE OF REPRESENTATIVES,
SALEM, January 26, 1887. }

Mr. Speaker: I voted under a misunderstanding of the nature of the constitutional amendment prohibiting the sale or gift of spirituous liquors in house joint resolution No. 2, session of 1885, and I hereby request that the records may show that I stand in favor of the resolution and my vote should stand aye.

Respectfully submitted,
JOHN WILSON.

SENATE JOINT RESOLUTION NO. 12.

Be it resolved by the Senate, the House concurring:

That the following amendment to the constitution of the State of Oregon be and hereby is proposed:

ARTICLE II.

That section 1 of article 13 of the constitution of the State of Oregon be and the same hereby is abrogated, and in lieu thereof section 1 of article 13 of the constitution of the State of Oregon shall be as follows:

Section 1. The Governor, Secretary of State, Treasurer of State, Judges of the Supreme Court and all other State officers of this State shall each receive an annual salary of such sum as the legislative assembly shall hereafter by law for each of such officers provide; *provided*, that when the legislative assembly shall have by law fixed the salary of any such officer such salary shall neither be increased nor diminished during the term for which the incumbent of such office shall have been elected or appointed.

Adopted by the senate February 18, 1885.

(Signed)

WM. WALDO,
President of the Senate.

Concurred in by the house February 18, 1887.

(Signed)

W. P. KEADY,
Speaker of the House.

Mr. Munger moved the adoption of senate joint resolution No. 12 of 1885.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley,

Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Summers, Smith, Thompson, Taylor, Wilson, Wilcox, Mr. Speaker—56.

Nays—None.

Absent—Messrs. Biggs, Little, Swank, Vanderpool—4.

So the resolution was adopted.

HOUSE JOINT RESOLUTION NO. 1 OF 1885.

Be it enacted by the House, the Senate concurring:

That the following amendment to the constitution to the State of Oregon be and hereby is proposed:

That section 14 of article 2 of the constitution of the State of Oregon be and the same is hereby abrogated and in lieu thereof section 14 of article 2 of the constitution of the State of Oregon shall be as follows:

Section 14. General elections shall be held on the Tuesday next after the first Monday in November biennially.

Passed the house November 19, 1885.

(Signed)

W. P. KEADY,
Speaker of the House.

Concurred in by the senate November 24, 1885.

(Signed)

WM. WALDO,
President of the Senate.

Mr. Hale moved to adopt house joint resolution No. 1 of special session of 1885.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Palmer, Pomeroy, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Taylor, Thompson, Wilson, Wilcox, Mr. Speaker—59.

Nays—None.

Absent—Mr. Vanderpool—1.

So the resolution was adopted.

By consent, Mr. Munger introduced house concurrent resolution No. 21 as follows:

HOUSE CONCURRENT RESOLUTION NO. 21.

WHEREAS, A large number of bills relating to insurance has been introduced into the two houses of the legislative assembly, and in view of the importance of the subject and the large amount of work now before the proper committee to which to refer this subject; therefore,

Resolved by the House, the Senate concurring:

That a special committee, consisting of three from the house and two from the senate, be appointed to be called a committee on insurance, to which all bills of this session referring to insurance be referred, and that said committee be permitted to employ clerical aid if necessary.

On motion of Mr. Bilyeu, the resolution was adopted.

By Mr. Paulsen. House bill No. 197, to amend sections 3 and 12 of an Act to define and fix compensation of State Printer, etc.

By Mr. Laughlin. House bill No. 198, granting right of way to Portland and Willamette Valley Railroad Company through River View Cemetery.

By Mr. Bilyeu. House bill No. 199, to amend Acts incorporating Eugene City, Oregon.

By Mr. R. A. Miller. House bill No. 200, to amend an Act for the protection of fish and game.

By Mr. R. A. Miller. House bill No. 201, to provide for mileage of jurors in courts of justice of the peace.

By Mr. A. M. Lafollett. House bill No. 202, to regulate and define the width of draws on bridges.

By Mr. Harrington. House bill No. 203, to amend charter of East Portland.

By Mr. Harrington. House bill No. 204, to divide the county clerk's offices of Multnomah county.

By Mr. Harrington. House bill No. 205, authorizing county commissioners of Multnomah county to rent bridge.

By Mr. Mayer. House bill No. 206, to amend section 30, title 3, chapter 50, miscellaneous laws of Oregon.

By Mr. Goodsell. House bill No. 207, to regulate hog pens and slaughterhouses.

By Mr. Gay. House bill 208, to amend an Act to create the county of Morrow.

By Mr. Pendleton. House bill No. 209, to define duties of county courts.

By Mr. Kruse. House bill No. 210, to amend section 21 of pilot laws, also sections 3 and 28.

By Mr. Goodsell. House bill No. 211, to amend section 16 of an Act to establish paid fire department of Portland.

By Mr. Gard. House bill No. 212, for the relief of Mr. Wm. Glick.

By Mr. Noyer. House bill No. 213, to regulate the employment of Chinamen.

By Mr. Noyer. House bill No. 214, providing what interest women shall have in husband's property.

By Mr. Little. House bill No. 215, to repeal an Act to protect certain birds of the pheasant kind.

By consent the judiciary sent up reports to be read.

Mr. Harrington asked to be excused until 12 o'clock to-morrow.

Committee on engrossed bills made the following

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, January 26, 1887. }

Mr. Speaker: Your committee on engrossed bills, to whom was referred house bill No. 40, herewith return the same correctly engrossed.

J. H. ROBERTS,
Chairman.

And house bill No. 40 was passed to third reading, accompanied by petition from hands of Mr. Crockett and remonstrance from hands of Mr. Gay.

House bill No. 197 read first time.

House bill No. 198 read first time.

Mr. Gubser moved to suspend the rules and allow house bill No. 199 to be read first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Biggs, Culver, Davis, Daly, Gard, Gubser, Goodsell, Gay, Hale, Henry, Hansard, Hicks, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, McLean, Munger, McKenzie, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Smith, Thompson, Taylor, Wilcox, Mr. Speaker—48.

Nays—None.

Absent—Messrs. Bilyeu, Blevins, Crook, Crockett, Holland, Harris, Mitchell, Mackay, Swank, Summers, Vanderpool, Wilson—12.

So the rules were suspended and house bill No. 199 was read first time by title only.

House bill No. 200 read first time.

House bill No. 201 read first time.

House bill No. 202 read first time.

Mr. Paulsen moved to suspend the rules and read house bill No. 202 second time now by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osburn, Pomeroy, Palmer, Pendleton, Paulsen, Richardson, Stafford, Swank, Smith, Thompson, Wilson, Wilcox, Mr. Speaker—52.

Nays—Messrs. Holland, Taylor—2.

Absent—Messrs. Crook, Lafollett of Yamhill, Miller of Jackson, Roberts, Summers, Vanderpool—6.

So the rules were suspended and house bill No. 202 was read second time now by title.

On motion of Mr. Gubser, referred to committee on commerce.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, January 26, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed senate bill No. 45, being a bill for an Act to amend sections 572 and 575, title 1 of chapter 7 of the civil code of Oregon.

Also that the senate has passed senate bill No. 47, being a bill for an Act to amend sections 491 and 494 of the code of civil procedure.

And the same are herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Senate bill No. 45 was read first time and passed to second reading without a question.

Senate bill No. 47 was read first time and passed to second reading without a question.

The Chair announced as committee on labor, Messrs. Munger, Lockett, Paulsen, Hansard and Pendleton.

Mr. Harrington moved to suspend the rules and allow house bill No. 203 read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Crockett, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Wilson, Mr. Speaker—55.

Nays—None.

Absent—Messrs. Crook, Davis, Roberts, Wilcox, Vanderpool—5.

So the rules were suspended and house bill No. 203 was read first time by title only.

Mr. Harrington moved to further suspend the rules and allow house bill No. 203 to be read second time now by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Wilson, Mr. Speaker—53.

Nays—None.

Absent—Messrs. Crook, Goodsell, Johnson, Miller of Jackson, Roberts, Vanderpool, Wilcox—7.

So the rules were suspended and house bill No. 203 was read second time by title.

AFTERNOON SESSION.

House called to order at 1:30 P. M., the Speaker in the chair.

The roll was called and all members were present except Messrs. Bilyeu, Crook, Holland, Hale, Harrington, Lockett, Lafollett of Yamhill, Laughlin, Maxwell, Noyer, Pomeroy, Paulsen and Vanderpool.

Mr. Crook was excused till to-morrow.

The committee on judiciary made the following

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, January 26, 1887. }

Mr. Speaker: Your committee on judiciary, to whom was referred house bill No. 70, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do not pass.

S. R. HARRINGTON,
Chairman.

So the bill was considered engrossed and passed to third reading.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, January 26, 1887. }

Mr. Speaker: Your committee on judiciary, to whom was referred house bill No. 75, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do not pass.

S. R. HARRINGTON,
Chairman.

So the bill was ordered considered engrossed and passed to third reading.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, January 26, 1887. }

Mr. Speaker: Your committee on judiciary, to whom was referred house bill No. 76, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

S. R. HARRINGTON,
Chairman.

So the bill was ordered considered engrossed and passed to a third reading.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, January 26, 1887. }

Mr. Speaker: Your committee on judiciary, to whom was referred house bill No. 173, beg leave to report that they have had the same

under consideration, and would respectfully report it back to the house with the recommendation that it do not pass.

S. R. HARRINGTON,
Chairman.

So the bill was ordered considered engrossed and passed to third reading.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, January 26, 1887. }

Mr. Speaker: Your committee on judiciary, to whom was referred house bill No. 14, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house without recommendation.

S. R. HARRINGTON,
Chairman.

So the bill was ordered considered engrossed and passed to third reading.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, January 26, 1887. }

Mr. Speaker: Your committee on judiciary, to whom was referred house bill No. 48, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do not pass.

S. R. HARRINGTON,
Chairman.

So the bill was ordered considered engrossed and passed to its third reading.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, January 26, 1887. }

Mr. Speaker: Your committee on judiciary, to whom was referred house bill No. 77, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do not pass.

S. R. HARRINGTON,
Chairman.

So the bill was ordered considered engrossed and passed to its third reading.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, January 26, 1887. }

Mr. Speaker: Your committee on judiciary, to whom was referred house bill No. 79, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do not pass.

S. R. HARRINGTON,
Chairman.

So the bill was ordered considered engrossed and passed to third reading.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, January 26, 1887. }

Mr. Speaker: Your committee on judiciary, to whom was referred house bill No. 68, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do not pass.

S. R. HARRINGTON,
Chairman.

And the bill was ordered considered engrossed and passed to the third reading.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, January 26, 1887. }

Mr. Speaker: Your committee on judiciary, to whom was referred house bill No. 73, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

S. R. HARRINGTON,
Chairman.

And the bill was ordered considered engrossed and passed to third reading.

By consent the following reports were made:

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, January 26, 1887. }

Mr. Speaker: Your committee on military affairs, to whom was referred house bill No. 2, beg leave to report that they have had the

same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

O. SUMMERS,
Chairman.

And the bill was ordered considered engrossed and passed to its third reading.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, January 26, 1887. }

Mr. Speaker: Your committee on education, to whom was referred house bill No. 8, beg leave to report that we have had the same under consideration, and herewith report the same without recommendation.

J. E. BLUNDELL,
B. R. HENRY,
D. GUBSER,
Committee.

The following amendments to house bill No. 8 were offered and adopted by vote of the house:

FIRST AMENDMENT.

By Mr. Daly. To strike out all that portion of section 6 commencing with the word "provided" in line 20 of said section and ending with the word "aforesaid" in line 22 of said section and substituting in lieu of said part so stricken out: *provided*, that all counties of this State in which the number of children of school age is less than five hundred shall be entitled to one free scholarship, and all other counties shall be entitled to one free scholarship for each thousand children of school age and fraction of one thousand greater than five hundred.

SECOND AMENDMENT.

By Mr. Bilyeu. First—Strike out the whole of section 13.
Second—Change section 14 to 13.

THIRD AMENDMENT.

By Mr. Haley. To strike out all that part of section 2 in line 6 after the words "take charge thereof."

FOURTH AMENDMENT.

By Mr. Gubser. In section 3 of printed bill strike out all that part of line six following the word senate; all of line seven and the word denomination in line eight.

On motion of Mr. Maxwell, the Sergeant-at-Arms was ordered to conduct Hon. C. Leinenweber to a seat within the bar.

The committee on roads and highways made the following majority and minority reports on house bill No. 5.

MINORITY REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, January 26, 1887. }

Mr. Speaker: Your committee on roads and highways, to whom was referred house bill No. 5, beg leave to report this as a minority report, that they have had the same under consideration and would respectfully report it back to the house with the following amendments:

FIRST AMENDMENT.

In sections 2, lines 3 and 4, strike out words "have a due regard to," and insert after the word "shall" in line 3, "set apart for each and every road district."

SECOND AMENDMENT.

Strike out all of line 4 after the word "district" and all of line 5 and insert, "for the use of the district in which the taxes are collected."

D. J. PENDLETON.

The house refused by vote to adopt the minority report.

On motion of Mr. Lockett, the following majority report and amendments were adopted.

MAJORITY REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, January 24, 1887. }

Mr. Speaker: Your committee on roads and highways, to whom was referred house bill No. 5, beg leave to report this as their majority report, that they have had the same under consideration, and

would respectfully report it back to the house with the recommendation that it do pass with the following amendments:

FIRST AMENDMENT.

In section 1, line 2, strike out the word "three" and insert "two" after the word "exceeding."

SECOND AMENDMENT.

In section 4, line 3, strike out word "three" and insert "two" after word "of."

THIRD AMENDMENT.

In section 5, line 3, strike out "exceeding" and insert "less than" after the word "not."

In section 7, line 5, strike out "county court" and insert "by the supervisor" after the word "approved."

M. P. GARD,
R. A. LOCKETT.

Committee on public lands made following

REPORT.

HOUSE OF REPRESENTATIVES,)
SALEM, January 26, 1887.)

Mr. Speaker: Your committee on public lands, to whom was referred house joint resolution No. 1, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

ROBERT McLEAN,
Chairman.

HOUSE JOINT RESOLUTION NO. 1.

To the Honorable the Congress of the United States:

Your memorialist, the legislative assembly of the State of Oregon, respectfully represents that by Act of congress passed on the 14th day of February, 1859, admitting Oregon as a State into the Union, certain proposals were made for her acceptance or rejection and that on the 3d day of June, 1859, the legislative assembly, on behalf of the people of the State of Oregon, did accept each and all of said

proposals and pass the required ordinance, and that by the acceptance of the aforesaid proposals and the passage of said ordinance the right to each and every sixteenth and thirty-sixth section of land in every township in this State not otherwise disposed of on that day became complete and the title to that land vested in the State of Oregon; and also that by the Act of congress of March 12, 1860, the title to all the swamp and overflowed lands within the State vested in the State of Oregon. That in October, 1864, a large tract of land known as the Klamath Indian reservation was set apart for the Klamath and other Indians and has since that time been used exclusively for that purpose; that said reservation covers an area of about fifty townships of land and therefore includes about one hundred of the said sections granted to the State of Oregon; that the proceeds of the sale of the aforesaid school land would be of great benefit to the educational interests of the State and that lien land of equal value cannot be obtained in the State to compensate her for the loss of said land, wherefore we earnestly pray congress to appropriate at the present session a sufficient sum to survey the Klamath Indian reservation into sections to the end that the State may proceed to sell her interest in said land and also her swamp and overflowed lands therein. Trusting to the justness of our claim so long neglected, your memorialist pray for a speedy and favorable consideration of the same.

Mr. Noyer moved the adoption of the resolution.

On th is question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Wilson, Mr. Speaker—53.

Nays—None.

Absent—Messrs. Crook, Goodsell, Harrington, Little, Mayer, Vanderpool, Wilcox—7.

So the resolution was adopted.

Mr. Bilyeu moved to suspend the rules and allow house bill No. 204 to be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Hol-

land, Hale, Henry, Hansard, Hicks, Harris, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osburn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Wilson, Wilcox, Mr. Speaker—56.

Nays—None.

Absent—Messrs. Crook, Harrington, Maxwell, Vanderpool—4.

So the rules were suspended and house bill No. 204 was read first time by title only.

Mr. Munger moved to further suspend the rules and read house bill No. 204 second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Wilson, Wilcox, Mr. Speaker—55.

Nays—Mr. Taylor—1.

Absent—Messrs. Crook, Harrington, McLean, Vanderpool—4.

And the rules were further suspended and house bill No. 204 was read second time by title.

Mr. Munger moved to refer the bill to Multnomah delegation.

Mr. Bilyeu moved to amend by saying judiciary committee and the amendment carried, and the motion to refer as amended was carried and the bill was referred to the judiciary committee.

House bill No. 205 read first time.

House bill No. 206 read first time.

House bill No. 207 read first time.

House bill No. 208 read first time.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, January 26, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has adopted senate concurrent resolution No. 9, referring

to and giving consent to the United States Government to purchase certain tracts of land for the use of the Indian training school at Chemawa.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Mr. Taylor moved to concur in senate concurrent resolution No. 9 and the motion prevailed.

House bill No. 209 read first time.

By consent, Mr. Noyer offered house resolution No. 41, as follows:

HOUSE RESOLUTION NO. 41.

Resolved, That as the present bill book is insufficient for the accommodation of the accumulating bills that the Secretary of State be authorized to furnish each member with an additional adhesive bill file.

On motion of Mr. Mayer, the resolution was adopted.

House bill No. 210 read first time.

Mr. Kruse moved to suspend the rules and read house bill No. 210 second time now by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Biggs, Blevins, Culver, Crockett, Daly, Gard, Gubser, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Maxwell, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Richardson, Stafford, Swank, Summers, Smith, Thompson, Wilson, Wilcox, Mr. Speaker—48.

Nays—Mr. Taylor—1.

Absent—Messrs. Bowditch, Bilyeu, Crook, Davis, Goodsell, Harrington, Mayer, Miller of Jackson, Paulsen, Roberts, Vanderpool—11.

So the rules were suspended and house bill No. 210 was read second time by title.

Mr. Kruse moved to refer to committee on commerce.

Mr. Munger moved to amend by having 20 copies printed before going to committee, and the amendments carried, and as amended the motion to refer was adopted.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, January 26, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has concurred in house joint memorial No. 3, providing for buoying the Umpqua river up as far as Gardiner.

And the same is herewith returned to the house.

E. G. HURSH,
Chief Clerk.

House bill No. 211 read first time.

House bill No. 212 read first time.

Mr. Gard moved to suspend the rules and read house bill No. 212 second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Biggs, Blevins, Culver, Gard, Gubser, Goodsell, Gay, Hale, Henry, Hansard, Hicks, Harris, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Roberts, Richardson, Stafford, Swank, Smith, Thompson, Wilson, Wilcox, Mr. Speaker—46.

Nays—Messrs. Bilyeu, Daly, Taylor—3.

Absent—Messrs. Bowditch, Crook, Crockett, Davis, Holland, Harrington, Holmes, McLean, Paulsen, Summers, Vanderpool—11.

So the rules were suspended and house bill No. 212 read second time by title.

On motion of Mr. Gard, house bill No. 212 was referred to committee on ways and means.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, January 26, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has concurred in house joint resolution No. 8 authorizing the auditing board to audit claims of D. B. Reavis cavalry company organized for protection of settlers of Wallowa valley in the Indian war of 1878.

And the same is herewith returned.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, January 26, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has concurred in house joint memorial No. 2, asking congress to pay the war claims audited by Philo Callender.

And the same is herewith returned to you.

E. G. HURSH,
Chief Clerk.

House bill No. 213 read first time.

Mr. Noyer moved to suspend the rules and read second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Roberts, Richardson, Stafford, Summers, Smith, Thompson, Wilson, Wilcox, Mr. Speaker—51.

Nays—Messrs. Haley, Taylor—2.

Absent—Messrs. Crook, Goodsell, Harrington, Holmes, Paulsen, Swank, Vanderpool—7.

So the rules were suspended and house bill No. 213 was read first time by title.

Mr. Noyer moved to refer house bill No. 213 to committee on Chinese labor.

Mr. Goodsell moved to amend by having the bill printed.

Mr. Noyer accepted the amendment, and with the amendment the house adopted the motion to refer to committee on Chinese labor.

By consent, Mr. Munger offered the communication from Knights of Labor of Portland, which on motion of Mr. Daly was referred to the committee on Gov. Pennoyer's message.

House bill No. 214 read first time.

House bill No. 95 read second time.

On motion of Mr. Henry, was referred to committee on education.

House bill No. 96 read second time.

On motion of Mr. Henry, referred to committee on education.

House bill No. 97 read second time.

On motion of Mr. Paulsen, referred to committee on judiciary.

By consent, report from special committee on petitions of citizens of Marion county:

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, January 26, 1887. }

Mr. Speaker: Your committee to whom was referred certain petitions dated December 31, 1886, beg leave to report that they have had the same under consideration, and would respectfully report a bill to the house with the recommendation that it do pass.

W. B. CULVER,
Chairman.

And house bill No. 215 was read first time by consent.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, January 26, 1887. }

Mr. Speaker: Your committee on internal improvements, to whom was referred house bill No. 54, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do not pass.

J. M. STAFFORD,
Chairman.

And the bill was ordered considered engrossed and passed to third reading.

Mr. Harris moved to suspend the rules and read house bill No. 98 second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Holland, Hale, Henry, Hansard, Hicks, Harris, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Maxwell, Miller of Jackson, Miller of Linn, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Taylor, Wilson, Wilcox, Mr. Speaker—53.

Nays—None.

Absent—Messrs. Crook, Gay, Harrington, Mayer, Mitchell, Thompson, Vanderpool—7.

So the rules were suspended and house bill No. 98 was read second time by title only.

On motion of Mr. Harris, the bill was referred to committee on judiciary.

House bill No. 99 was read second time.

On motion of Mr. Munger, was suspended for further action till to-morrow forenoon.

House bill No. 100 read second time.

On motion of Mr. Benjamin, referred to committee on judiciary.

House bill No. 101 read second time.

On motion of Mr. Bilyeu, referred to committee on judiciary.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, January 26, 1887. }

Mr. Speaker: I am directed by the President to inform you that senate joint memorial No. 3 has been reported correctly enrolled.

Also, that senate joint resolution No. 5 has been reported correctly enrolled.

And the same are herewith transmitted for your signature.

E. G. HURSH,
Chief Clerk.

The Chair announced that he was about to sign senate joint memorial No. 3, and that he had signed.

The Chair announced that he was about to sign senate joint resolution No. 5, and that he had signed.

House bill No. 102 read second time.

Mr. Daly offered as amendment to insert enacting clause:

Be it enacted by the Legislative Assembly of the State of Oregon:

On motion of Mr. Bilyeu, the amendment was adopted and the bill ordered to the engrossing committee.

On motion of Mr. Daly, the bill was referred to the committee on labor.

House bill No. 103 read second time.

On motion of Mr. Daly, referred to committee on education.

Mr. Johnson moved to suspend the rules and read house bill No. 104 by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Crockett, Daly, Gard, Gubser, Goodsell, Gay, Hale, Henry, Hansard, Hicks, Harris, Holmes, Haley, Johnson, Kruse, Lockett,

Lafollett of Marion, Layman, Laughlin, Little, Mayer, Miller of Jackson, Miller of Linn, Mitchell, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Wilson, Wilcox, Mr. Speaker—52.

Nays—None.

Absent—Messrs. Crook, Davis, Holland, Harrington, Lafollett of Yamhill, Maxwell, McLean, Vanderpool—8.

So the rules were suspended and house bill No. 104 was read second time by title only.

Mr. Johnson moved to refer house bill 104 to committee with leave to report any time.

On this question the roll was called and the vote was:

Those voting aye, were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Crockett, Daly, Gard, Gubser, Goodsell, Gay, Hale, Henry, Hansard, Hicks, Harris, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Taylor, Wilson, Wilcox, Mr. Speaker—53.

Nays—None.

Absent—Messrs. Crook, Davis, Holland, Harrington, McLean, Thompson, Vanderpool—7.

So the bill was referred to committee on counties with leave to report at any time.

House bill No. 105 read second time.

On motion of Mr. Maxwell, referred to committee on judiciary.

Mr. Miller moved to suspend the rules and read house bill No. 107 second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Crockett, Daly, Gard, Gubser, Gay, Hale, Henry, Hansard, Hicks, Harris, Holmes, Haley, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Wilcox, Mr. Speaker—51.

Nays—None.

Absent—Messrs. Crook, Davis, Goodsell, Holland, Harrington, Johnson, Mackay, Vanderpool, Wilson—9.

So the rules were suspended and house bill No. 107 was read second time by title only.

On motion of Mr. Chas. Lafollett, was referred to committee on agriculture.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, January 26, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has concurred in house concurrent resolution No. 21, providing for a joint committee on insurance business.

And the same is herewith returned.

E. G. HURSH,
Chief Clerk.

Mr. Roberts moved to suspend the rules and read house bill No. 108 by title second time.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Crockett, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, McCully, Noyer, Osborn, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Wilson, Mr. Speaker—53.

Nays—None.

Absent—Messrs. Crook, Davis, Harrington, Mackay, Pomeroy, Vanderpool, Wilcox—7.

So the rules were suspended and house bill No. 108 was read second time by title only.

On motion of Mr. Summers, was referred to committee on printing.

House bill No. 109 read second time.

Mr. Daly moved the following

AMENDMENT.

Insert after the words "badge or button of the Grand Army of the Republic," the words, "or use or wear a badge of the Knights of Labor without being a member of that order."

The motion to adopt was carried and the bill was ordered to the engrossing committee.

Mr. Bowditch moved to suspend the rules and read house bill No. 110 second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Crockett, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, Munger, McKenzie, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Wilson, Wilcox, Mr. Speaker—53.

Nays—None.

Absent—Messrs. Crook, Davis, Harrington, Little, McLean, Mackay, Vanderpool—7.

So the rules were suspended and house bill No. 110 was read second time by title only.

On motion of Mr. Bowditch, was referred to committee on education.

House bill No. 111 was read second time.

On motion of Mr. Noyer, was referred to committee on education.

Mr. McLean moved to suspend the rules and read house bill No. 168 second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bilyeu, Biggs, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Wilson, Wilcox, Mr. Speaker—54.

Nays—None.

Absent—Messrs. Bowditch, Crook, Goodsell, Harrington, Roberts, Vanderpool—6.

So the rules were suspended and house bill No. 168 was read second time by title only.

On motion of Mr. McLean, was referred to committee on corporations.

On motion of Mr. Bilyeu, house bill No. 199 was ordered not printed.

SECOND READING OF SENATE BILLS.

Senate bill No. 6 was read second time.

On motion of Mr. Daly, referred to the committee on judiciary.

Mr. Hale moved to suspend the rules and allow senate bill No. 119 to be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Taylor, Wilson, Wilcox, Mr. Speaker—54.

Nays—None.

Absent—Messrs. Benjamin, Crook, Harrington, Maxwell, Thompson, Vanderpool—6.

So the rules were suspended and senate bill No. 119 was read second time by title only.

On motion of Mr. Lockett, was referred to committee on corporations.

Mr. Holland presented a remonstrance to the bill.

Senate bill No. 10 read second time.

Mr. Daly offered the following amendments:

FIRST AMENDMENT.

By inserting in the title after words "Clackamas county \$178 62," Benton county, \$1,447 96; Lane county, \$1,473 50; also to strike out \$178 62 for Clackamas county and insert in lieu thereof \$1,400 43.

SECOND AMENDMENT.

To amend section 1 of said bill by inserting after the words "Clackamas county \$178 62," to the county of Benton, \$1,447 96; to the county of Lane, \$1,473 50.

Pending the question, the house adjourned on motion of Mr. Noyer.

THURSDAY, JANUARY 27, 1887.

MORNING SESSION.

HOUSE OF REPRESENTATIVES, }
SALEM, January 27, 1887. }

House called to order at 9:30 A. M., the Speaker in the chair.

Roll called and those absent were Messrs. Bowditch, Crook, Crockett, Holland, Harrington, Johnson, Little, Mitchell, Munger, Paulsen, Taylor and Vanderpool.

Mr. Vanderpool absent on leave.

Mr. Vanderpool's leave of absence on account of sickness was continued at the request of Mr. Davis.

Mr. Crook was also excused for sickness.

Journal partly read and Mr. Goodsell moved to refer remainder of the journal to Mr. Gubser.

Mr. Gubser moved to amend by including Mr. Goodsell.

The amendment was adopted.

The motion as amended carried.

Second reading of senate bills being in order, senate bill No. 10 was resumed and Mr. Pomeroy offered the following

AMENDMENT.

By inserting after Columbia county one hundred and thirty-nine dollars and nineteen cents.

And the bill went to its third reading.

Senate bill No. 37 read second time and passed to third reading.

Senate bill No. 20 read second time.

On motion of Mr. Gard, was referred to committee on agriculture.

Senate bill No. 17 read second time.

On motion of Mr. Harris, referred to committee on commerce.

Senate bill No. 11 read second time and passed to third reading in order.

Senate bill No. 16 read second time and passed to third reading in order.

Mr. Wilson offered

HOUSE RESOLUTION NO. 42.

WHEREAS, In house joint memorial No. 2, by Mr. Paulsen, a clerical error having occurred, the same is hereby remanded back from

the enrolling committee, and Mr. Paulsen who introduced said resolution is authorized to correct said error; the said error being as follows: The date on which report was made should read December, 1856, instead of 1886, and the word Territory should appear instead of State; therefore, be it

Resolved, That Mr. Paulsen be allowed to correct said error.

(Signed)

JOHN WILSON,
Chairman of Enrolling Committee.

And the resolution passed.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, January 26, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has adopted senate joint memorial No. 4, praying congress to improve the channel of the Willamette river at the city of Corvallis.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

On motion of Mr. Daly, the house concurred in the adoption of senate joint memorial No. 4.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, January 26, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has adopted senate joint resolution No. 10, providing for the compilation, annotation and printing of 6,500 copies of school laws under the direction of the Superintendent of Public Instruction.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Mr. Daly moved the house concur in senate joint resolution No. 10.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Bowditch, Bilyeu, Biggs, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale,

Henry, Hansard, Hicks, Harris, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Taylor, Wilson, Wilcox, Mr. Speaker—54.

Nays—None.

Absent—Messrs. Blundell, Crook, Harrington, Miller of Jackson, Thompson, Vanderpool—6.

So senate joint resolution No. 10 was concurred in.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, January 26, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has adopted senate joint resolution No. 9, providing for Superintendent of Public Instruction to take steps to secure publication of text books on hygiene and physiology.

And the same is herewith transmitted for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Mr. Hale moved concurrence in senate joint resolution No. 9.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bilyeu, Biggs, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Wilson, Wilcox, Mr. Speaker—54.

Nays—None.

Absent—Messrs. Bowditch, Crook, Goodsell, Harrington, Mackay, Vanderpool—6.

So senate joint resolution No. 9 was concurred in.

Mr. Paulsen, by consent, introduced house bill No. 216, to appropriate money to purchase land for agricultural college, etc.

By Mr. Summers. House bill No. 217, to provide for branding products of convict labor, etc.

By Mr. Benjamin. House bill No. 218, to amend section 5 of an Act to redistrict the State into judicial districts, etc.

By Mr. Layman. House bill No. 219, to repeal an Act providing for the support and government of the university of Oregon, Act approved October 26, 1876.

By Mr. Layman. House bill No. 220, to repeal an Act to aid in the support of the university of Oregon, approved October 17, 1872.

By Mr. C. Lafollett. House bill No. 221, to amend Acts governing Oregon insane asylum.

By Mr. Pomeroy. House bill No. 222, to appropriate money to pay expenses of present session of legislative assembly.

By Mr. Thompson. House bill No. 223, to amend section 1 of an Act exempting firemen from certain duties and taxes.

By Mr. Palmer. House bill No. 224, for the protection of deer and elk.

On motion of Mr. R. A. Miller, the courtesies of the house were extended to Hon. John Whiteaker.

House bill No. 216 read first time.

House bill No. 217 read first time.

Mr. Summers moved to suspend the rules and read house bill No. 217 second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Crockett, Daly, Gard, Gubser, Gay, Holland, Hale, Henry, Hansard, Hicks, Holmes, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Wilson, Wilcox, Mr. Speaker—48.

Nays—Messrs. Goodsell, Harris, Haley, Layman, McCully, Osborn, Taylor—7.

Absent—Messrs. Crook, Davis, Harrington, Noyer, Vanderpool—5.

So the rules were suspended and house bill No. 217 was read second time by title.

Mr. Daly offered the following amendment:

AMENDMENT.

“Except bricks and other materials made or manufactured for use in the State buildings.”

On motion of Mr. Summers, amendment was adopted.

On motion of Mr. Summers, the bill was ordered printed and referred to the committee on labor.

On motion of Mr. Davis, the courtesies of the house were extended to Hon. Allen Parker.

Mr. Paulsen moved to suspend the rules and read house bill No. 216 second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Bowditch, Bilyeu, Biggs, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Gay, Hale, Henry, Hansard, Hicks, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Wilson, Wilcox, Mr. Speaker—52.

Nays—Mr. Taylor—1.

Absent—Messrs. Blundell, Crook, Goodsell, Holland, Harris, Harrington, Vanderpool—7.

So the rules were suspended and house bill No. 216 was read first time by title.

Mr. Smith offered the following amendment to house bill No. 216.

AMENDMENT.

Section 8. *And be it further provided*, that until the completion of said building the school now kept in the city of Corvallis and called the agricultural college shall be discontinued.

On motion of Mr. Noyer the bill was ordered printed.

Mr. Biggs, by consent, offered

HOUSE JOINT MEMORIAL NO. 5.

WHEREAS, The river and harbor matters placed under the bureau of engineers in Washington have for a great many years been under the direction of one John J. Parks, a colonel of the engineer corps, United States army; and,

WHEREAS, The office thus occupied is one of great importance to the people of the Pacific northwest, as the appropriation for the improvement of their great rivers and harbors are controlled and directed therein; and,

WHEREAS, The officer in charge of said office should be one of wide experience in engineering construction; and,

WHEREAS, The great railroad corporations who seek to paralyze the efforts of the people in the improvement of their water ways could not do so more effectually than by keeping in office one whose lack of experience renders him incompetent for the management and direction of engineering; and,

WHEREAS, The records show that Colonel John G. Parks has never had any practical experience in engineering construction; that at least thirty-five years of his service have been spent in Washington, D. C., bureau service; that he has recently allowed a personal spite towards a brother officer to cause a needless delay in the prosecution of the cascade canal, a great public work upon the progress of which a suffering people are waiting with painful interest: therefore be it

Resolved, That the Senators of Oregon be instructed and the Representative of said State requested to use every effort to secure the removal of said John G. Parks from the position he now occupies as chief engineer in charge of the river and harbor business of the bureau of United States engineers.

Mr. Biggs moved to adopt.

Mr. Harrington moved to amend and refer to committee on commerce.

The amendment was adopted and the memorial was so referred to the committee on commerce.

House bill No. 218 was read first time.

Mr. Benjamin moved to suspend the rules and read the bill second time now by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bilyeu, Biggs, Blevins, Culver, Davis, Daly, Gard, Gubser, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Wilson, Wilcox, Mr. Speaker—51.

Nays—Mr. Taylor—1.

Absent—Messrs. Bowditch, Crockett, Goodsell, Gay, Holland, Mackay, Vanderpool—8.

So the rules were suspended and house bill No. 218 was read second time by title only.

Mr. Benjamin moved to refer the bill to the delegation from Douglas county, with leave to report at any time.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Wilson, Wilcox, Mr. Speaker—55.

Nays—None.

Absent—Messrs. Crook, Gay, Holland, Pomeroy, Vanderpool—5.

So the bill was referred to Douglas county delegation with leave to report at any time.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, January 27, 1887. }

Mr. Speaker: Your committee on enrolled bills, to whom was referred house joint memorial No. 3, beg leave to report the same back to the house as correctly enrolled.

JOHN WILSON,
Chairman.

The Chair announced that he was about to sign house joint memorial No. 3, and subsequently that he had signed it.

Mr. Goodsell rose to a question of privilege and denied certain language and motives imputed to him by the Oregonian newspaper of January 26, 1887.

Mr. Harris offered

HOUSE RESOLUTION NO. 43.

Resolved, That if the reporter of the Oregonian refuses to correct his statement made in the Oregonian with reference to Mr. Goodsell that he be refused the privileges of the house.

Mr. Harris moved the adoption of the same.

Mr. Paulsen moved to table till to-morrow.

The house divided on the question of postponement until to-morrow, and the motion to postpone was declared carried and the resolution was so postponed.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, January 27, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed senate bill No. 15, being a bill for an Act to authorize the building of a bridge across the Willamette river between Portland and East Portland.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Senate bill No. 15 read first time.

On motion of Mr. Paulsen, senate bill No. 15 was ordered printed and passed to a second reading.

House bill No. 219 read first time.

House bill No. 220 read first time.

House bill No. 221 read first time.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, January 27, 1887. }

Mr. Speaker: I am directed by the President to inform you that he has signed house joint memorial No. 3.

And the same is herewith returned.

E. G. HURSH,
Chief Clerk.

House bill No. 222 read first time.

Mr. Pomeroy moved to suspend the rules and read the bill a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harrington, Holmes, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Pomeroy, Palmer, Pendleton, Paulsen, Richardson, Stafford, Swank, Summers, Smith, Wilcox, Mr. Speaker—51.

Nays—Messrs. Haley, Osborn, Thompson, Taylor, Wilson—5.

Absent—Messrs. Crook, Harris, Roberts, Vanderpool—4.

So the rules were suspended and the bill was read second time by title.

House bill No. 223 read first time.

House bill No. 224 read first time.

The Chair announced return to regular order of business.

SECOND READING OF SENATE BILLS.

Mr. Bilyeu moved to suspend the rules and read senate bill No. 3 second time by title only.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Davis, Daly, Gard, Gubser, Holland, Hale, Henry, Hansard, Hicks, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, McLean, Munger, McKenzie, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Wilson, Wilcox, Mr. Speaker—52.

Nays—None.

Absent—Messrs. Crook, Crockett, Goodsell, Gay, Harris, Mitchell, Mackay, Vanderpool—8.

So the rules were suspended and senate bill No. 3 was read a second time by title only and passed to a second reading without a question.

Mr. R. A. Miller moved to suspend the rules and read senate bill No. 84 second time by title only.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Benjamin, Blundell, Bowditch, Biggs, Blevins, Culver, Davis, Daly, Gard, Gubser, Holland, Hale, Henry, Hansard, Hicks, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Miller of Jackson, Miller of Linn, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Wilson, Wilcox, Mr. Speaker—50.

Nays—None.

Absent—Messrs. Bilyeu, Crook, Crockett, Goodsell, Gay, Harris, Harrington, Maxwell, Mitchell, Vanderpool—10.

So the rules were suspended and senate bill No. 84 was read second time by title only and passed to third reading.

Messrs. Laughlin and Summers presented petitions.

Referred to judiciary committee.

Senate bill No. 45 read second time and passed to third reading in order.

Senate bill No. 47 read second time and passed to third reading in order.

On motion the house adjourned.

AFTERNOON SESSION.

House called to order at 1:30 P. M., the Speaker in the chair.

The roll was called and those absent were Messrs. Crook, Goodsell, Gay, Harris, Lockett, Charles Lafollett, Mitchell, Pendleton and Roberts.

Mr. Layman, by consent, offered

HOUSE RESOLUTION NO. 44.

WHEREAS, A large number of bills are on the second reading; and,

WHEREAS, Nearly one-half of the session has now expired; therefore, be it

Resolved, That when the house adjourns this afternoon it adjourn to meet again this day at 7:30 o'clock P. M. for the purpose of continuing the business of the house now before it, and that evening sessions be held each day during the balance of this week except on Saturday evening.

Mr. Harrington presented petitions.

Referred to committee on judiciary.

Mr. Goodsell moved the adoption of house resolution No. 44.

Mr. R. A. Miller moved to lay on the table.

Carried.

Mr. Gubser moved the rules be suspended and house bill No. 222 be read third time now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Kruse, Lafollett of Marion, Little, Mayer, Miller of Linn, Mitchell, McLean, Mun-

ger, McKenzie, Mackay, Pomeroy, Palmer, Pendleton, Paulsen, Richardson, Stafford, Summers, Smith, Thompson, Vanderpool, Wilson, Wilcox—43.

Nays—Messrs. Haley, Johnson, Lockett, Layman, Laughlin, McCully, Noyer, Osborn, Swank, Taylor, Mr. Speaker—11.

Absent—Messrs. Crook, Goodsell, Lafollett of Yamhill, Maxwell, Miller of Jackson, Roberts—6.

So the rules were suspended and house bill No. 222 was read third time.

“Shall the bill pass?”

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osburn, Pomeroy, Palmer, Pendleton, Paulsen, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilcox, Mr. Speaker—55.

Nays—None.

Absent—Messrs. Crook, Lafollett of Yamhill, Mitchell, Roberts, Wilson—5.

So the bill passed, and the title of the bill stood as the title of the Act.

By request of Mr. Blundell, the protest to the incorporating of Grant's Pass be sent to the committee on corporations in the senate.

By consent, Multnomah delegation reported:

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, January 27, 1887. }

Mr. Speaker: Your committee on house bill No. 32, to whom was referred the said house bill No. 32, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

JOHN WILSON,
Chairman.

The bill was considered engrossed and ordered to its third reading in regular order.

House bill No. 34 read third time.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—58.

Nays—None.

Absent—Messrs. Crook and Miller of Linn—2.

So the bill passed, and the title of the bill stood as the title of the Act.

House bill No. 27 read third time.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—58.

Nays—Mr. Blevins—1.

Absent—Mr. Crook—1.

So the bill passed, and the title of the bill stood as the title of the Act.

Mr. Mitchell moved that the rules be suspended to allow him to offer a resolution.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crockett, Davis, Gard, Gay, Holland, Hale, Henry, Hansard, Hicks, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Little, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Vanderpool, Wilson, Wilcox—48.

Nays—Messrs. Culver, Daly, Harris, Lafollett of Yamhill, Mayer, McCully, Taylor, Mr. Speaker—8.

Absent—Messrs. Crook, Gubser, Goodsell—3.

So the rules were suspended and Mr. Mitchell was allowed to offer house resolution No. 45 as follows:

HOUSE RESOLUTION NO. 45.

Be it resolved by the House of Representatives of the State of Oregon:

THAT, WHEREAS, House bill No 63 was, by an irregular order, ordered to be printed; and,

WHEREAS, The result of such order is to unnecessarily delay and hinder the consideration of such bill; and,

WHEREAS, Said bill cannot be printed for several days, that therefore said bill No. 63 be ordered back to the house and pass to the third reading in its regular order.

Mr. Mitchell's motion to adopt the resolution was declared lost.

Mr. Noyer, by consent, offered house resolution No. 46 as follows:

HOUSE RESOLUTION NO. 46.

Resolved, That a committee of two be appointed to compute and report the amount of mileage due each member of the house for coming to and returning home from the present session of the legislature.

Mr. Taylor moved to lay on the table.

Lost.

The question recurring on the motion to adopt, the motion was declared to have carried.

Committee on engrossed bills made the following

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, January 27, 1887. }

Mr. Speaker: Your committee on engrossed bills, to whom was referred house bill No. 102, beg leave to report the same back to the house as correctly engrossed.

J. H. ROBERTS,
Chairman.

Report accepted and bill passed to third reading in regular order.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, January 27, 1887. }

Mr. Speaker: Your committee on engrossed bills, to whom was referred house bill No. 109, beg leave to report the same back to the house as correctly engrossed.

J. H. ROBERTS,
Chairman.

Report accepted and bill passed to third reading in regular order.
House bill No. 15 read third time.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Bowditch, Biggs, Culver, Crockett, Davis, Gard, Gay, Holland, Hicks, Harrington, Johnson, Kruse, Lockett, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Mitchell, McLean, Munger, McCully, Palmer, Roberts, Summers, Taylor, Wilson, Mr. Speaker—29.

Nays—Messrs. Blundell, Bilyeu, Blevins, Daly, Gubser, Goodsell, Hale, Henry, Hansard, Harris, Haley, Holmes, Lafollett of Marion, Lafollett of Yamhill, Layman, Miller of Linn, McKenzie, Mackay, Noyer, Osborn, Pomeroy, Pendleton, Paulsen, Richardson, Stafford, Swank, Smith, Thompson, Vanderpool, Wilcox—30.

Absent—Mr. Crook—1.

So the bill failed to pass.

On motion of Mr. Bowditch, the courtesies of the house were extended to Judge DePeatt.

Mr. Pendleton moved to reconsider the vote by which house bill No. 15 was lost.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Bowditch, Biggs, Culver, Crockett, Davis, Gard, Goodsell, Gay, Holland, Hicks, Harrington, Johnson, Kruse, Lockett, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Mitchell, McLean, Munger, McCully, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Summers, Taylor, Wilson, Mr. Speaker—33.

Nays—Blundell, Bilyeu, Blevins, Daly, Gubser, Hale, Henry, Hansard, Harris, Holmes, Haley, Lafollett of Marion, Lafollett of Yamhill, Layman, Miller of Linn, McKenzie, Mackay, Osborn, Richardson, Stafford, Swank, Smith, Thompson, Vanderpool, Wilcox—25.

Absent—Messrs. Crook and Noyer—2.

So the vote by which house bill No. 15 was lost was declared reconsidered and the vote recurred on the question,

“Shall the bill pass?”

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Bowditch, Biggs, Crook, Culver, Crockett, Davis, Gard, Gay, Holland, Hicks, Johnson, Kruse, Lockett, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Mitchell, McLean, Munger, McCully, Pomeroy, Palmer, Roberts, Summers, Taylor, Wilson, Mr. Speaker—30.

Nays—Messrs. Blundell, Bilyeu, Blevins, Daly, Gubser, Hale, Henry, Hansard, Harris, Holmes, Haley, Lafollett of Marion, Lafollett of Yamhill, Layman, Miller of Linn, McKenzie, Mackay, Osborn, Pendleton, Paulsen, Richardson, Stafford, Swank, Smith, Thompson, Vanderpool, Wilcox—27.

Absent—Messrs. Goodsell, Harrington, Noyer—3.

So the bill failed to pass.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, January 27, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed senate bill No. 103, a bill to amend an Act providing the manner in which wire fences shall be constructed in counties east of the Cascade mountains.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Senate bill No. 103 read first time and passed to second reading without a question.

House bill No. 22 read third time.

“Shall the bill pass?”

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Crockett, Daly, Gard, Gubser, Goodsell, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Linn, McLean, Munger, McKenzie, McCully, Noyer, Osborn, Palmer, Pendleton,

Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—52.

Nays—None.

Absent—Messrs. Crook, Davis, Gay, Miller of Jackson, Mitchell, Mackay, Pomeroy, Thompson—8.

So the bill passed, and the title of the bill stood as the title of the Act.

Mr. Munger moved the petition accompany the bill.

Carried.

Mr. Roberts moved that house bill No. 50 be transferred from the consideration of committee on ways and means to the committee on internal improvements.

Carried.

Mr. Bowditch moved that house bill No. 29 be laid on the table.

Carried.

House bill No. 31 read third time.

“Shall the bill pass?”

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Crockett, Daly, Gard, Gubser, Goodsell, Gay, Holland, Henry, Hansard, Hicks, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—53.

Nays—None.

Absent—Messrs. Crook, Davis, Hale, Harris, Maxwell, Miller of Jackson, Roberts—7.

So the bill passed, and the title of the bill stood as the title of the Act.

House bill No. 3 read third time.

“Shall the bill pass?”

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—57.

Nays—Messrs. Benjamin and Haley—2.

Absent—Mr. Maxwell—1.

So the bill passed and the title of the bill stood as the title of the Act.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, January 27, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has adopted senate joint resolution No. 12, providing for the relief of the Oregon pioneer association.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Mr. Harrington moved to concur in senate joint resolution No. 12.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Summers, Smith, Thompson, Wilson, Wilcox. Mr. Speaker—55.

Nays—Mr. Taylor—1.

Absent—Messrs. Goodsell, McCully, Swank, Vanderpool—4.

So the house concurred in senate joint resolution No. 12.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, January 27, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed senate bill No. 125, being a bill for an Act declaring what shall constitute the irreducible school fund of this State and to provide for its investment.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Senate bill No. 125 read first time and passed to second reading without a question.

Mr. Thompson moved that senate bill No. 16 be referred to a special committee for amendment.

Carried.

House bill No. 46 read third time.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Gay, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osburn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Mr. Speaker—56.

Nays—Mr. Wilcox—1.

Absent—Messrs. Goodsell, Holland, Stafford—3.

So the bill passed, and the title of the bill stood as the title of the Act.

On motion of Mr. Hale, the house adjourned.

FRIDAY, JANUARY 28, 1887.

MORNING SESSION.

HOUSE OF REPRESENTATIVES,
SALEM, January 28, 1887. }

House called to order at 9:30 A. M., the Speaker in the chair.

Prayer by Rev. J. W. Webb of Salem.

The roll was called and all the members were present.

Journal partly read, and on the motion of Mr. Goodsell the further consideration of the same was submitted to the Messrs. Gubser and Goodsell.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, January 27, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has adopted senate joint memorial No. 5, asking congress for an appropriation of money for the improvement of the Umpqua river to Elkton.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Mr. Harrington moved the concurrence of senate joint memorial No. 5, and the motion prevailed.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, January 27, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has agreed to and adopted house joint memorial No. 2 of 1885, relating to the constitutional amendment abolishing the sale of spirituous, etc., liquors.

And the same are herewith returned for enrollment.

E. G. HURSH,
Chief Clerk.

And house joint resolution No. 2 of 1885 was sent to the committee for enrollment.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, January 27, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed senate bill No. 135, being a bill for an Act to amend section 8 of an Act to create the county of Crook and to fix the salaries of county judge and treasurer thereof, approved October 24, 1882.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Senate bill No. 135 read first time and passed to second reading without a question.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, January 27, 1887.

Mr. Speaker: I am directed by the President to inform you that the senate has passed house bill No. 222, being a bill for an Act to appropriate money to pay the per diem, mileage and other expenses of the present session of the legislature.

And the same is herewith returned for enrollment.

E. G. HURSH,
Chief Clerk.

House bill No. 222 was sent to the committee for enrollment.

Mr. Goodsell introduced and moved the adoption of house resolution No. 47 as follows:

HOUSE RESOLUTION NO. 47.

Be it resolved by the House of Representatives of the State of Oregon:

That inasmuch as house bill No. 63 has been ordered printed and as such order has resulted in delaying consideration of said bill that the State Printer be instructed to print said bill at once and lay it before the members of the house.

And the house adopted the resolution.

By consent, the house returned to the reports of standing committees.

Mr. Paulsen gave the following notice:

NOTICE.

Mr. Speaker: Notice is herewith given that on to-morrow or some future day I will offer a motion to amend rule 33 of rules of the house by adding thereto on line 7 after the word "present" the following: "Provided, however, that not more than one reconsideration shall be allowed on any one question."

THOS. PAULSEN.

Mr. Wilcox gives notice.

NOTICE.

I hereby give notice that I will on to-morrow or some subsequent day introduce a bill for an Act to change the boundary lines between Gilliam and Morrow counties.

W. S. WILCOX.

The committee on military affairs reported back to the house house bill No. 30 with amendments.

Mr. Bilyeu moved the report be considered in committee of the whole this afternoon.

Adopted.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, January 26, 1887. }

Mr. Speaker: Your committee on assessment and taxation, to whom was referred house bill No. 65, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

D. SMITH,
Chairman.

And the bill was ordered engrossed and passed to third reading in order.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, January 27, 1887. }

Mr. Speaker: Your committee on education, to whom was referred house bill No. 6, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the following

AMENDMENT.

Amend by striking out all of lines 3, 4, 5, 6, 7, 8 and 9 of the printed bill and insert in lieu thereof the following:

Section 43. Any male or female citizen of this State of the age of twenty-one years and upwards, who has resided in the district thirty days immediately preceding any legally called school district meeting, shall be entitled to vote on all questions properly coming before such meeting, except the question of levying a tax, and he or she shall be entitled to hold the office of director or clerk.

Section 44. Any male or female citizen of this State who possesses the foregoing qualifications and has property within the district upon which he or she would be required to pay a tax if a tax be levied at such meeting shall be entitled to vote on the question of levying a tax; *provided*, that in school districts containing one thousand inhabitants or more any person desiring to vote must

possess all of the foregoing qualifications in order to be entitled to vote on any question or to be entitled to hold the office of director or clerk.

JAS. E. BLUNDELL,
Chairman of Committee.

Mr. Hale moved to adopt the amendments.

Mr. Bilyeu moved to amend the amendment by striking out the words "or female" and "or she" where they occur in the amendment in section 1 amending section 43.

Messrs. Bilyeu and Noyer called for the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blundell, Bilyeu, Culver, Davis, Daly, Holland, Hale, Henry, Hansard, Harrington, Holmes, Haley, Johnson, Lockett, Lafollett of Yamhill, Little, Mayer, Maxwell, Miller of Linn, McLean, McKenzie, Mackay, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Richardson, Stafford, Swank, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—37.

Nays—Messrs. Benjamin, Bowditch, Biggs, Blevins, Crook, Crockett, Gard, Gubser, Gay, Hicks, Harris, Kruse, Lafollett of Marion, Layman, Laughlin, Miller of Jackson, Mitchell, Munger, McCully, Paulsen, Roberts—21.

Absent—Messrs. Goodsell, Summers—2.

So the motion to amend the amendment was sustained.

Mr. Munger moved to further amend by striking out all after the word "provided" in section 44, and the ayes and nays were demanded by Messrs. Bilyeu and Munger.

While the roll was being prepared the Speaker announced as committee on insurance on the part of the house, Messrs. Munger, Pomeroy and Noyer.

On the question to strike out all after the word "*provided*" in section 44 the roll was called and the vote was:

Those voting aye were:

Messrs. Bilyeu, Biggs, Blevins, Culver, Crockett, Daly, Gard, Hale, Hansard, Hicks, Harrington, Holmes, Haley, Johnson, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Little, Mayer, Miller of Linn, Mitchell, Munger, McKenzie, Noyer, Osborn, Pendleton, Paulsen, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—39.

Nays—Messrs. Benjamin, Blundell, Bowditch, Crook, Davis, Gubser, Goodsell, Gay, Holland, Henry, Harris, Kruse, Laughlin, Maxwell, McLean, Mackay, McCully, Pomeroy, Palmer, Roberts—20.

Absent—Mr. Miller of Jackson—1.

So the motion to strike out was sustained.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, January 28, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has adopted senate joint resolution No. 11, granting certain powers to the swamp land committee appointed under senate joint resolution No. 3.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Mr. Paulsen moved to concur in the resolution.

Mr. McLean moved to postpone till Monday.

Messrs. R. A. Miller and Daly called the ayes and nays on the postponement.

On this question the roll was called and the vote was :

Ayes—None.

Nays—Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, McLean, Munger, McKenzie, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—55.

Absent—Messrs. Goodsell, Gay, Mitchell, Mackay, Summers—5.

So the motion to postpone was lost.

The question recurring on the original motion, the roll was called and the vote was.

Those voting aye were :

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Hale, Henry, Hansard, Hicks, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilcox, Mr. Speaker—53.

Nays—None.

Absent—Messrs. Crook, Goodsell, Gay, Holland, Harris, Mitchell, Wilson—7.

So the resolution was adopted.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, January 28, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has adopted senate joint resolution No. 6, providing for the abolishment of the advisory board of pardons.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Mr. Noyer moved to concur in senate joint resolution No. 6.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Biggs, Blevins, Daly, Gard, Gubser, Henry, Hicks, Harris, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Munger, Mackay, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Thompson, Taylor, Wilcox, Mr. Speaker—42.

Nays—Messrs. Bilyeu, Culver, Crockett, Davis, Hansard, McLean, McKenzie, McCully, Smith—9.

Absent—Messrs. Crook, Goodsell, Gay, Holland, Hale, Harrington, Mitchell, Vanderpool, Wilson—9.

So the motion to concur was carried.

Mr. Blevins was excused till to morrow.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, January 28, 1887. }

Mr. Speaker: I am directed by the President to inform you that he has appointed Messrs. Steel and Chandler as senate members on the joint committee of insurance, pursuant to house concurrent resolution No. 21.

E. G. HURSH,
Chief Clerk.

SALEM, January 28.

Mr. Speaker: Please excuse me from the special committee on State board of immigration.

F. D. McCULLY.

The gentleman was excused and Mr. Benjamin appointed to fill his place.

Mr. Summers moved that house bill No. 109 be recommitted to committee on military affairs with leave to report at any time.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Biggs, Blevins, Culver, Davis, Daly, Gard, Gubser, Holland, Hale, Henry, Hansard, Hicks, Harris, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Maxwell, Miller of Jackson, Miller of Linn, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilcox, Mr. Speaker—51.

Nays—None.

Absent—Messrs. Bilyeu, Crook, Crockett, Goodsell, Gay, Harrington, Mayer, Mitchell, Wilson—9.

So the bill was recommitted with leave to report at any time.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, January 28, 1887. }

Mr. Speaker: Your committee on judiciary, to whom was referred house bill No. 87, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

S. R. HARRINGTON,
Chairman.

So the bill was ordered considered engrossed and passed to the third reading.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, January 28, 1887. }

Mr. Speaker: Your committee on judiciary, to whom was referred house bill No. 20, beg leave to report that they have had the

same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

S. R. HARRINGTON,
Chairman.

So the bill was ordered considered engrossed and ordered to pass to third reading.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, January 28, 1887. }

Mr. Speaker: Your committee on judiciary, to whom was referred house bill No. 101, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendment, viz.:

AMENDMENT.

Strike out the word "thirty" in the twenty-third line of the first page of the original bill and insert the word "ten" in the place thereof.

S. R. HARRINGTON,
Chairman.

On motion of Mr. Harrington, the report was adopted and the bill ordered to engrossing committee and passed to third reading in order.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, January 28, 1887. }

Mr. Speaker: Your committee on judiciary, to whom was referred house bill No. 204, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it be referred to a special committee to consist of the members from Multnomah county.

S. R. HARRINGTON,
Chairman.

On motion of Mr. Bilyeu, the report was adopted and the bill ordered to the consideration of the Multnomah delegation.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, January 27, 1887. }

Mr. Speaker: Your committee on enrolled bills, to whom was referred house joint resolution No. 8, beg leave to report the same back to the house as correctly enrolled.

JOHN WILSON,
Chairman.

The Chair announced that he was about to sign house joint resolution No. 8, and subsequently that he had signed it.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, January 28, 1887. }

Mr. Speaker: Your committee on claims, to whom was referred the petition or claim of Mr. Yankee, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the assurance that said claim seems just. And your committee recommend that it be amended so as to read as follows: And that the same do pass.

Respectfully submitted,

W. B. CULVER,
Chairman.

House bill No. 225 read first time.

Mr. Munger moved to suspend the rules and read house bill No. 106 second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Maxwell, Miller of Jackson, Miller of Linn, McLean, Munger, McKenzie, Mackay, Osborn, Pomeroy, Palmer, Roberts, Richardson, Stafford, Swank, Summers, Vanderpool, Wilson, Wilcox, Mr. Speaker—47.

Nays—Crockett, Little, Mayer, McCully, Noyer, Layman, Smith, Taylor—8.

Absent—Messrs. Laughlin, Mitchell, Pendleton, Paulsen, Thompson—5.

So the rules were suspended and house bill No. 106 was read second time.

On motion of Mr. Munger, house bill No. 106 was referred to special committee on insurance.

Mr. Goodsell moved to suspend the rules and read senate bill No. 15 the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Biggs, Crook, Gubser, Goodsell, Gay, Holland, Hicks, Harris, Harrington, Johnson, Kruse, Lockett, Lafollett of Yamhill, Laughlin, Maxwell, McLean, Munger, Mackay, McCully, Osborn, Pomeroy, Palmer, Roberts, Stafford, Summers, Wilson, Mr. Speaker—29.

Nays—Messrs. Bowditch, Bilyeu, Blevins, Culver, Crockett, Daly, Hale, Henry, Hansard, Holmes, Haley, Lafollett of Marion, Layman, Little, Mayer, Miller of Jackson, Miller of Linn, McKenzie, Noyer, Pendleton, Paulsen, Richardson, Swank, Smith, Thompson, Taylor, Vanderpool, Wilcox—28.

Absent—Messrs. Davis, Gard, Mitchell—3.

So the motion to suspend the rules was lost.

Mr. Maxwell was permitted to introduce house bill No. 226, to aid in building a bridge across Trask river in Tillamook county, Oregon.

Messrs. Lockett and Harris presented petitions.

Referred to judiciary committee.

House adjourned on motion of Mr. Noyer.

AFTERNOON SESSION.

House called to order at 1:30 P. M., the Speaker in the chair.

The roll was called and those absent were Messrs. Bilyeu, Blevins, Culver, Harris, Harrington, Lafollett of Yamhill, (Maxwell, excused,) Miller of Jackson, Munger, (Palmer, excused,) Paulsen, Wilson.

Mr. Maxwell absent on leave.

The special order for the consideration of house bill No. 30 in the committee of the whole having arrived the committee on military affairs submitted the following

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, January 26, 1887. }

Mr. Speaker: Your committee on military affairs to whom was referred house bill No. 30, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass as amended as follows:

FIRST AMENDMENT.

In article 3, page 9, section 7, line 12, after the words "term of" strike out the word "five" and insert the word "three" therefor.

SECOND AMENDMENT.

In same article and section, line 26, strike out the word "five" and insert the word "three" after the words "enlistment for."

THIRD AMENDMENT.

Strike out section 38 of article 10, pages 26 and 27 and insert the following two sections in lieu thereof:

Section 38. That for the purpose of raising revenue to defray the current expense of the State militia, there is hereby levied and the proper officers shall collect a tax of one-fifth of one mill upon all property in the State subject to taxation for the fiscal year ending June thirtieth, eighteen hundred and eighty-seven, and for each fiscal year thereafter.

Section 39. The revenue raised under the provisions of this Act shall be and hereby is appropriated for military purposes only.

O. SUMMERS,

Chairman Committee on Military Affairs.

Messrs. Palmer and Maxwell were excused for committee work.

Mr. Goodsell asked leave to withdraw house resolution No. 43, by Mr. Harris.

Granted.

On motion of Mr. Bilyeu, the house went into committee of the whole on house bill No. 30 as reported back from military committee, with Mr. Bilyeu in the chair.

After deliberation the committee rose and made the following

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, January 28, 1887. }

Mr. Speaker: The committee of the whole has had under consideration the report of house committee on military affairs, and recommend the adoption of the amendments proposed by the committee to house bill No. 30 and without recommending the bill.

L. BILYEU,
Chairman.

Mr. Summers moved to print the amendments and engross the bill and the house so ordered.

Mr. Summers called for house resolution No. 44, which was read and on motion of Mr. Bowditch adopted.

HOUSE RESOLUTION NO. 44.

Resolved, That when the house adjourns this afternoon it adjourn to meet again this day at 7:30 o'clock P. M. for the purpose of continuing the business of the house now before it, and that evening sessions be held each day during the balance of this week except on Saturday evening.

Mr. Paulsen moved to amend that only county and corporation bills be considered at such evening session.

Which amendment was adopted.

The Chair excused Mr. Osborn.

The committee on roads and highways made the following

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, January 28, 1887. }

Mr. Speaker: Your committee on roads and highways, to whom was referred House bill No. 64, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

M. P. GARD,
Chairman.

And the bill was ordered considered engrossed and passed to third reading.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, January 28, 1887. }

Mr. Speaker: Your committee on roads and highways, to whom was referred house bill No. 53, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house without recommendation.

M. P. GARD,
Chairman.

And the bill was ordered considered engrossed and passed to third reading.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, January 28, 1887. }

Mr. Speaker: Your committee on roads and highways, to whom was referred house bill No. 47, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

M. P. GARD,
Chairman.

So the bill was ordered considered engrossed and passed to third reading.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, January 28, 1887. }

Mr. Speaker: Your committee on engrossed bills, to whom was referred house bills Nos. 5 and 8, beg leave to report the same back to the house as correctly engrossed.

J. H. ROBERTS,
Chairman.

And house bills Nos. 5 and 8 took their places in order on third reading.

On motion of Mr. Daly, 150 copies of amended house bill No. 8 were ordered printed.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, January 27, 1887. }

Mr. Speaker: Your committee on corporations, to whom was referred house bill No. 38, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the amendments annexed.

R. R. LAUGHLIN,
Chairman.

The house ordered the amendments to house bill No. 38 printed as follows:

FIRST AMENDMENT.

That house bill No. 38 be amended by striking out all of the title and enacting clause thereof and that the title be amended so as to read as follows:

A bill for an Act to incorporate the town of Medford in Jackson county, Oregon, and limiting its powers and defining the duties of its officers, and to repeal an Act entitled an Act to incorporate the town of Medford, in Jackson county, Oregon, approved February 24, 1885.

SECOND AMENDMENT.

And that an enacting clause be substituted to read as follows:

Be it enacted by the Legislative Assembly of the State of Oregon.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, January 25, 1887. }

Mr. Speaker: Your committee on corporations, to whom was referred house bill No. 128, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass as amended.

R. R. LAUGHLIN,
Chairman.

On motion of Mr. McKenzie the amendments were adopted, as follows:

FIRST AMENDMENT.

That section 16 be amended by striking out the word "to" after the word "guards" in the twenty-fourth line on page 10.

That section 16 be amended by inserting the word "or" after the word "house" in the eighteenth line of page 12, so that said section will read:

Section 16. The mayor and councilmen shall compose the common council of said town, and at any meeting shall have exclusive power to provide for the election and qualification of officers and for filling all vacancies in office; to fix the time and place of their meeting, which shall be as often as once in three months; to levy and collect taxes for town purposes, not to exceed one and one-half per cent. per annum on property in said town, taxable for county purposes, except notes and accounts; *provided*, no deduction for indebtedness shall be made from any assessment upon any person or property for town purposes; to establish hospitals; to prevent and move nuisances; to provide water; to license, tax and regulate the sale of intoxicating liquors or to prevent such sale entirely; but the tax for such sale, if allowed, shall be in lieu of and not less than that required by the general laws of this State; to license, tax and regulate auctioneers, taverns, ordinaries, hawkers, peddlers, brokers and pawnbrokers and money changers and hackmen, carriages, wagons, carts, drays and omnibuses, and to fix the rate of carrying persons or property thereon; to license, tax and regulate or exclude barrooms, billiard tables, theatrical and other shows, exhibitions and other amusements, and to license, tax and regulate or exclude bawdy houses, beer gardens and dance houses, and prohibit gaming and gambling houses; *provided*, the town council shall have exclusive control of all licenses, and that no part thereof shall go to the county; and, *provided further*, that any person having paid a tax or license herein provided for to the town shall be exempt from paying any tax or license to the county for the purpose for which the same shall have been granted by said town; to establish and regulate market houses, or to establish fire companies and provide for the prevention and extinguishment of fire; to appoint fire wardens and to prescribe their duties, and property quarters; to compel any person or persons present to aid in the extinguishment of fire, and by ordinances to prescribe such other powers as may be necessary on such occasions; to establish and regulate a police and night watch: to impose fines, penalties and forfeitures; to provide for the construction, cleaning and repair of side and crosswalks adjacent to lots by the holders thereof, and making, cleaning and improving

gutters; to grade, pave, plank and otherwise clean and keep in repair bridges; to regulate the storage of gunpowder and other combustible materials and the use of candles, lamps and other lights, stovepipes, flues and chimneys in shops, stables and other places; to regulate or prevent the running at large of animals, and the discharge of firearms in said town; to license and regulate porters; to appropriate money for any item of town expenditures, and to provide for the payment of debts and expenditures of the town; to appoint a town attorney and prescribe his duties, and to change the number of councilmen as the interest of the town may require; to provide for the removal of standing water and unwholesome and offensive substances; to carry into effect the provisions of this charter and secure the health, peace and improvement of said town, and provide for the punishment of the violation of the town ordinances by fine or imprisonment; but no fine shall exceed one hundred dollars, nor imprisonment more than thirty days; and shall have power to prevent the introduction of disease into the city; to prevent and restrain any riot, noise or disturbance, or disorderly assemblage in any street, house or other place in the town.

SECOND AMENDMENT.

That section 18 be amended by striking out the word president in the fifth line in said section and insert in lieu thereof the word mayor, so that said section will read as follows:

Section 18. The demands and accounts against the town shall be audited by the council and paid by the treasurer, on the warrant of the mayor of the council attested by the recorder.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, January 26, 1887. }

Mr. Speaker: Your committee on corporations, to whom was referred house bill No. 16, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house without recommendation.

R. R. LAUGHLIN,
Chairman.

And the bill was ordered considered engrossed and passed to third reading.

The Chair excused Mr. Pomeroy this afternoon.

Mr. Munger moved house bill No. 204 be recalled from committee and printed.

Carried.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, January 27, 1887. }

Mr. Speaker: Your committee on counties, to whom was referred house bill No. 52, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the amendments hereto annexed.

F. D. McCULLY,
Chairman.

FIRST AMENDMENT.

Amend the title so as to read as follows:

A bill for an Act to amend sections 7, 8 and 9 of an Act entitled an Act to create the county of Morrow and to fix the salaries of county judge and treasurer, approved February 16, 1885.

SECOND AMENDMENT.

In line 2 of section 2, strike out the word eight and insert in lieu thereof the word six.

THIRD AMENDMENT.

In line 2 of section 3, strike out the word four and insert in lieu thereof the word three.

On motion of Mr. Gay, the amendments were adopted and the bill ordered engrossed and passed to third reading in order.

Mr. McLean moved that house bills Nos. 11 and 44 be referred to committee on public lands and it was so ordered.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, January 27, 1887. }

Mr. Speaker: Your committee on counties, to whom was referred house bill No. 66, beg leave to report that they have had the same

under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the amendment hereto annexed.

F. D. McCULLY,
Chairman.

AMENDMENT.

In line 3 of section 6, strike out the word "March" and insert in lieu thereof the word "June."

On motion of Mr. Holland, the amendment was adopted and the bill considered engrossed and passed to third reading.

Mr. Henry presented a petition which was referred to the judiciary committee.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, January 27, 1887. }

Mr. Speaker: Your committee on counties, to whom was referred house bill No. 93, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the amendments hereto annexed.

F. D. McCULLY,
Chairman.

FIRST AMENDMENT.

Amend the title to read as follows:

A bill for an Act to amend section 7 of an Act entitled "An Act to create the county of Gilliam and to fix the salaries of county judge and treasurer thereof," approved February 25, 1885.

SECOND AMENDMENT.

Amend section 1 to read as follows:

Section 1. That section 7 of an Act entitled "An Act to create the county of Gilliam and to fix the salaries of county judge and treasurer thereof," approved February 25, 1885, be amended so as to read as follows:

Section 7. The county court of Gilliam county shall be held at the county seat on the first Monday of every alternate month beginning on the first Monday in January of each year.

On motion of Mr. Wilcox, the amendments were adopted and bill ordered engrossed and passed to a third reading in order.

Petitions and remonstrances on house bill No. 40 were read from the Clerk's desk.

Mr. Munger offered a petition which was referred to the committee on labor.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, January 27, 1887. }

Mr. Speaker: Your committee on counties, to whom was referred house bill No. 104, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it pass with the amendments hereto annexed.

F. D. McCULLY,
Chairman.

FIRST AMENDMENT.

In section 6, line 2, strike out the word "fourth" and insert in lieu thereof the word "second."

SECOND AMENDMENT.

In section 6, line 3, strike out the word "June" and insert in lieu thereof the word "July."

THIRD AMENDMENT.

In section 7, line 3, strike out the words "April, June, August, October, December and February," and insert in lieu thereof the words "May, July, September, November, January and March."

On motion of Mr. Johnson, the amendments were adopted, and the bill ordered engrossed and passed to third reading in order.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, January 27, 1887. }

Mr. Speaker: Your committee consisting of the Douglas county delegation, to whom was referred house bill No. 218, with the priv-

ilege to report at any time, respectfully report that we have considered the same and recommend that it do pass.

W. F. BENJAMIN,
P. P. PALMER,
J. E. BLUNDELL,
H. McKENZIE,
JOHN H. SHUPE,
JOHN EMMETT.

And house bill No. 218 was ordered considered engrossed and passed to third reading.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, January 27. 1887. }

Mr. Speaker: Your committee on internal improvements, to whom was referred house bill No. 50, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do not pass.

J. M. STAFFORD,
Chairman.

And the bill was ordered considered engrossed and passed to third reading.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, January 26, 1887. }

Mr. Speaker: Your committee on alcoholic traffic, to whom was referred house bill No. 13, beg leave to report that we have examined said bill, and recommend that it do pass with the following amendments:

SAMUEL LAYMAN,
Chairman.

FIRST AMENDMENT.

Amend by adding to last line of Act, "and in all prosecutions under this Act common fame shall be competent evidence in support of the prosecution."

SECOND AMENDMENT.

Also amend by striking out the words "or about" in line 6, of section 686.

THIRD AMENDMENT.

Also strike out "three hundred," in line 11, and insert "fifty;" and strike out the words "one thousand," in line 12, and substitute "three hundred."

Mr. Layman moved the adoption of the amendments.

The motion prevailed and the bill was ordered engrossed and passed to third reading.

REPORT.

LEGISLATIVE HALL,
SALEM, January 26, 1887. }

Mr. Speaker: We, your committee on alcoholic traffic, to whom was referred house bill No. 49, beg leave to report that we have examined said bill and that we recommend that it do pass with the following amendments:

FIRST AMENDMENT.

Amend section one by adding the following: *Provided*, this Act shall not apply to druggists who sell liquors for medicinal, mechanical or sacramental purposes only.

SECOND AMENDMENT.

Also to amend by striking out the word "and," in line 1 of section 1, and inserting the word "or."

SAMUEL LAYMAN,
Chairman.

Mr. Layman moved the adoption of the amendments, which was carried and the bill was ordered engrossed and to third reading.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, January 28, 1887. }

Mr. Speaker: Your committee on assessment and taxation, to whom was referred house bill No. 153, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do not pass.

D. SMITH,
Chairman.

And the bill was considered engrossed and passed to third reading.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, January 27, 1887. }

To the Senate and House of Representatives of the Legislative Assembly of the State of Oregon:

GENTLEMEN: The joint committee appointed under house concurrent resolution No. 1 to investigate the management and condition of the Oregon State insane asylum report that the duty assigned to the committee has been discharged, and we find that the patients are well supplied with all things necessary for their comfort as far as the management is concerned. The food furnished the inmates is wholesome and abundant. The greatest attention is paid to personal cleanliness. The wards are clean and neat with as perfect sanitary and hygienic surroundings as possible under all the circumstances. We were pleased to notice the ample provision made for mental diversion so important to this class of patients, such as chapel exercises, music, dancing, etc. The books of account are neatly and accurately kept. The institution was built with a capacity for 415 patients, and already there are under treatment 437 patients. This disparity between the accommodations and the number of patients is constantly increasing, greatly to the detriment of proper treatment of the patients. To remedy this evil we earnestly recommend that immediate provision be made for the construction of a three-story wing at the eastern extremity of the present south wing. The addition should contain three wards each with a capacity for 33 patients and substantially similar in general arrangement and construction to the wards already built. We also recommend that the institution be made independent as regards the water supply. To that end suitable reservoirs should be constructed and supplied with pipes and pumps, and thus the condition and safety of the building and the occupants will be secure. Proper fire escapes should also be placed on the outside of the building. Most of the walls in the wards where the patients are kept are lathed and plastered on studding. The plaster is being constantly broken by the inmates and through the holes thus formed fire might at any time communicate to the inside of the walls. To obviate this constant danger as well as to improve the appearance of the walls they should be properly wainscoted say to the height of seven feet with some suitable wood. The building also needs thorough renovation by kalsomining and painting on the inside and an addition to the

laundry for drying clothes should be built, as the drying room now in use is insufficient and needed for other purposes. The furnace under the central part of the building is insufficient to heat that part properly and should be replaced by a new one of greater and adequate capacity. We recommend that proper steps be taken and provision made for the foundation of a library for the institution under the direction of the superintendent. In order to suitably accommodate the enlargement of the building as well as to meet the growing wants of the constantly increasing number of patients the institution should have more land. Real estate available for that purpose is not likely to be cheaper than at the present time and the necessary land should be at once secured, especially as such property is always a safe investment. To carry out the foregoing recommendations we estimate that the following appropriations are necessary :

Construction of new wing and furniture-----	\$ 37,000 00
Reservoirs, pumps, etc.-----	5,000 00
Wainscoting halls and corridors-----	2,500 00
Painting and kalsomining-----	2,500 00
Addition to laundry-----	1,250 00
New furnace-----	1,000 00
Fences on grounds and farms-----	2,000 00
Purchase of land-----	4,000 00
Library-----	300 00
Total-----	<u>\$ 55,550 00</u>

Respectfully submitted,

J. H. ROBERTS,
Chairman House Committee.
M. L. CHAMBERLIN,
Chairman Senate Committee.

Mr. Summers moved the adoption of the report of committee on insane asylum and the motion was sustained.

Mr. Thompson moved that house bill No. 153 be indefinitely postponed.

Messrs. Daly and Thompson demanded the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bilyeu, Biggs, Crook, Culver, Crockett, Daly, Goodsell, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Yamhill, Layman, Laughlin, Mayer, Miller of Linn, Mackay, Noyer, Osborn, Pendleton, Paulsen, Richardson, Stafford, Swank, Smith, Thompson, Taylor, Vanderpool, Wilcox—37.

Nays—Messrs. Benjamin, Blundell, Bowditch, Davis, Gubser, Gay, Lafollett of Marion, Little, Mitchell, McLean, Munger, McKenzie, McCully, Pomeroy, Roberts, Summers, Mr. Speaker—17.

Absent—Messrs. Blevins, Gard, Maxwell, Miller of Jackson, Palmer, Wilson—6.

So the motion to indefinitely postpone house bill No. 153 was carried.

REPORT.

HOUSE OF REPRESENTATIVES,)
SALEM, January 28, 1887. }

Mr. Speaker: Your committee on judiciary, who was directed by house resolution No. 37 to investigate the charges in the daily Oregonian of Portland, Oregon, of the 20th and 21st inst., to the effect that a chairman of one of the committees of this house, to whom two young women had applied for clerical work, had offered them employment on certain dishonorable conditions, with instructions to your committee to investigate said charges, and ascertain if any member of this house is guilty of such conduct, beg leave to report that they have carefully and patiently investigated the matter, and in pursuance of the authority conferred in such resolution have subpoenaed and examined witnesses including the two young women referred to in the charges made by the daily Oregonian, and have found no evidence of any member of this house ever having made any dishonorable proposition or condition of employment to any woman now employed by or who has sought employment in the service of this house. Your committee have not found any evidence of impropriety on the part of the women who have sought or obtained employment of this body; but do find that there was an idle rumor or street talk which gave rise to extravagant and absurd rumors that might naturally lead an enterprising journalist into a belief that a serious wrong and impropriety had been perpetrated.

S. R. HARRINGTON,
JOHN J. DALY,
L. BILYEU,
CHARLES LAFOLLETT,
DAVID GOODSSELL.

Committee.

Mr. McLean moved that the report be adopted.

Messrs. Roberts and Bilyeu demanded the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Crook, Culver, Crockett, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Pendleton, Paulsen, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilcox, Mr. Speaker—52.

Nays—None.

Absent—Messrs. Blevins, Davis, Hicks, Maxwell, Miller of Jackson, Palmer, Wilson—7.

Blank—Roberts—1.

So the report was adopted.

Mr. Bilyeu moved for adjournment.

The Speaker after division declared the house adjourned.

----- EVENING SESSION.

House called to order at 7:30 P. M., the Speaker in the chair.

The roll was called and those absent were Messrs. Bowditch, Culver, Daly, Gard, Hicks, Charles Lafollett, Maxwell, R. A. Miller, I. D. Miller, McLean, Palmer, Wilson and Wilcox.

Mr. I. D. Miller absent on leave.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, January 28, 1887. }

Mr. Speaker: Your committee on engrossed bills, to whom was referred house bills Nos. 6 and 101 herewith return the same correctly engrossed.

J. H. ROBERTS,
Chairman.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, January 28, 1887. }

Mr. Speaker: Your committee on counties, to whom was referred house bill No. 69, beg leave to report that they have had the same

under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following

AMENDMENT.

Strike out from line 11 to the first word in line 24, inclusive, of the printed bill, and substitute therefor the following: Thence south on said range line to the intersection of said line with the center of the main channel of the John Day river; thence down the center of the main channel of said river to the intersection of the east line of range twenty-two east; thence south on said range line to the south line of township twelve south; thence west on said south line to the east line of range nineteen east; thence north on said east line to the center of the main channel of the John Day river.

F. D. McCULLY,
Chairman.

On motion of Mr. Wilcox, the amendments to house bill No. 69 were adopted.

By consent, committee on journal reported.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, January 28, 1887. }

Mr. Speaker: Your special committee, appointed to examine and correct the house journals of January 26 and 27, beg leave to report that they have duly examined the same, have found them correct and would herewith respectfully report the same back to the house.

D. GUBSER,
Chairman.

D. GOODSSELL.

And on motion of Mr. Blundell the report was adopted.

Mr. Miller of Linn was excused till Monday.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, January 28, 1887. }

Mr. Speaker: Your committee on corporations, to whom was referred house bill No. 169, beg leave to report that they have had the

same under consideration and would respectfully report it back to the house with the recommendation that it do pass.

R. R. LAUGHLIN,
Chairman.

And the bill was ordered considered engrossed and passed to third reading.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, January 28, 1887.)

Mr. Speaker: Your committee on corporations, to whom was referred house bill No. 203, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

R. R. LAUGHLIN,
Chairman.

So the bill was ordered considered engrossed and passed to third reading.

On motion of Mr. Davis, the courtesy of the house was extended to Hon. J. D. Sperry.

House bill No. 33 read third time.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Davis, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Little, Mayer, Mitchell, Munger, McKenzie, Mackay, McCully, Noyer, Pomeroy, Pendleton, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilcox, Mr. Speaker—57.

Nays—None.

Absent—Messrs. Blundell, Crockett, Daly, Hicks, Lafollett of Yamhill, Maxwell, Miller of Jackson, Miller of Linn, McLean, Osborn, Palmer, Paulsen, Wilson—13.

So the bill passed and the title of the bill stood as the title of the Act.

The Chair announced as committee on per diem and mileage Messrs. Noyer and Holland.

The Chair excused Mr. Munger for the balance of the evening.

House bill No. 40 read third time.

"Shall the bill pass?"

Mr. Bilyeu demanded a call of the house, so the Chair ordered the Doorkeeper to close the doors.

The Clerk called the roll and Messrs. Blundell, Blevins, Daly, Hicks, Charles Lafollett, Maxwell, R. A. Miller, I. D. Miller, McLean, Munger, Osborn, Palmer, Paulsen and Wilson were absent.

Messrs. Maxwell, I. D. Miller and Munger absent on leave.

A quorum being present, on motion of Mr. Bilyeu, further proceedings under the call of the house were dispensed with.

The passage of house bill No. 40 was ordered.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Holland, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Little, Mayer, Mitchell, McLean, McKenzie, Mackay, McCully, Noyer, Pomeroy, Pendleton, Paulsen, Roberts, Richardson, Summers, Smith, Taylor, Vanderpool, Wilcox, Mr. Speaker—47.

Nays—Messrs. Bowditch, Bilyeu, Biggs, Gay, Hale, Stafford, Swank, Thompson—8.

Absent—Messrs. Lafollett of Yamhill, Maxwell, Miller of Jackson, Miller of Linn, Munger, Osborn, Palmer, Wilson—9.

So the bill passed and the title of the bill stood as the title of the Act.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, January 28, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed senate bill No. 40 to amend the city charter of Portland.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

And senate bill 40 was read first time and passed to second reading without a question.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, January 28, 1887. }

Mr. Speaker: Your committee on enrolled bills, to whom was

referred house joint resolution No. 2 of 1885, beg leave to report the same back to the house as correctly enrolled.

JOHN WILSON,
Chairman.

Per F. C. Hicks.

The Chair announced that he was about to sign house joint resolution No. 2 of 1885, and subsequently that he had signed it.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, January 28, 1887. }

Mr. Speaker: Your committee on enrolled bills, to whom was referred house bill No. 222, beg leave to report the same back to the house as correctly enrolled.

JOHN WILSON,
Chairman.

Per F. C. Hicks.

The Chair announced that he was about to sign house bill No. 222, and subsequently that he had signed it.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, January 28, 1887. }

Mr. Speaker: I am directed by the President to inform you that the Senate has passed senate bill No. 134, amending city charter of the town of Hillsboro.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Mr. Gubser moved to suspend the rules and read senate bill No. 134 first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Crockett, Gard, Gubser, Goodsell, Holland, Hale, Henry, Hansard, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, La-follett of Marion, Layman, Laughlin, Little, Mayer, Mitchell, McLean, McKenzie, Mackay, McCully, Noyer, Pomeroy, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilcox, Mr. Speaker—46.

Nays—None.

Absent—Messrs. Crook, Davis, Daly, Gay, Hicks, Harris, Lafollett of Yamhill, Maxwell, Miller of Jackson, Miller of Linn, Munger, Osborn, Palmer, Wilson—14.

So the rules were suspended and senate bill No. 134 was read first time by title only and passed to second reading without question.

Mr. Pomeroy moved to further suspend the rules and read senate bill No. 134 second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Little, Mayer, Mitchell, McLean, McKenzie, Mackay, McCully, Noyer, Pomeroy, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Taylor, Vanderpool, Wilcox, Mr. Speaker—50.

Nays—None.

Absent—Messrs. Daly, Lafollett of Yamhill, Maxwell, Miller of Jackson, Miller of Linn, Munger, Osborn, Palmer, Thompson, Wilson—10.

So the rules were suspended and senate bill No. 134 was read second time by title and Mr. Taylor moved to further suspend the rules and read the bill third time now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Gard, Gubser, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Mayer, Mitchell, McLean, McKenzie, Mackay, McCully, Noyer, Pomeroy, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Mr. Speaker—48.

Nays—None.

Absent—Messrs. Daly, Goodsell, Lafollett of Yamhill, Little, Maxwell, Miller of Jackson, Miller of Linn, Munger, Osborn, Palmer, Wilson, Wilcox—12.

So the bill was read third time.

“Shall the bill pass?”

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Gard, Gubser, Gay, Hale, Henry,

Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Layman, Laughlin, Little, Mayer, Mitchell, McLean, McKenzie, Mackay, McCully, Noyer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilcox, Mr. Speaker—47.

Nays—None.

Absent—Messrs. Daly, Goodsell, Holland, Lafollett of Marion, Lafollett of Yamhill, Maxwell, Miller of Jackson, Miller of Linn, Munger, Osborn, Pomeroy, Palmer, Wilson—13.

So senate bill No. 134 passed.

On motion of Mr. Harrington, the house adjourned till 2 o'clock P. M. Monday.

MONDAY, JANUARY 31, 1887.

MORNING SESSION.

HOUSE OF REPRESENTATIVES, }
SALEM, January 31, 1887. }

House called to order at 9:30 A. M. by Chief Clerk Jennings, who read to the house the following telegram:

YAQUINA, OREGON, }
January 30, 1887. }

To A. C. Jennings, Chief Clerk of the House:

The road between here and the valley was to-day broken by slide and washouts. The railroad company have three hundred men at work to-night, and we fully expect the members here will reach Salem Monday night by steamboat from Corvallis.

J. T. GREGG,
Speaker.

After which Mr. Summers was elected Chairman *pro tem.* and the roll was called, and there appearing not a working quorum the house adjourned to 10 A. M. to-morrow.

AFTERNOON SESSION.

HOUSE OF REPRESENTATIVES,
SALEM, January 31, 1887. }

The roll was called and those absent were:

Messrs. Benjamin, Blundell, Bowditch, Blevins, Davis, Goodsell, Gay, Holland, Hale, Henry, Harris, Harrington, Johnson, Laughlin, Little, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McKenzie, McCully, Osborn, Pomeroy, Richardson, Stafford, Swank, Taylor, Mr. Speaker—28.

TUESDAY, FEBRUARY 1, 1887.

MORNING SESSION.

HOUSE OF REPRESENTATIVES,
SALEM, February 1, 1887. }

House called to order at 10 A. M.; Mr. Summers, Speaker *pro tem.*, in the chair.

The roll was called and those absent were Messrs. Benjamin, Blundell, Bowditch, Blevins, Crook, Davis, Goodsell, Gay, Holland, Hale, Henry, Harris, Harrington, Johnson, Laughlin, Little, Maxwell, R. A. Miller, I. D. Miller, McLean, McCully, Osborn, Pomeroy, Richardson, Stafford, Taylor, and Mr. Speaker.

Journal of yesterday read.

On motion of Mr. Daly the house adjourned till 2 P. M.

AFTERNOON SESSION.

HOUSE OF REPRESENTATIVES,
SALEM, February 1, 1887. }

House called to order at 2 P. M. by Mr. Summers, Speaker *pro tem.*, and the roll was ordered called.

Those absent were Messrs. Benjamin, Blundell, Bowditch, Blevins, Crook, Davis, Gay, Holland, Hale, Henry, Harrington, Johnson, Laughlin, Little, Maxwell, R. A. Miller, I. D. Miller, McLean, McKenzie, McCully, Pomeroy, Richardson, Stafford, Swank, Taylor, Mr. Speaker—27.

No working quorum reporting, the house adjourned till 10 A. M. to-morrow.

WEDNESDAY, FEBRUARY 2, 1887.

MORNING SESSION.

HOUSE OF REPRESENTATIVES,
SALEM, February 2, 1887. }

House called to order at 9:30 A. M., the Speaker in the chair.

Prayer by the Rev. J. Bowersox.

The roll was called and those absent were Messrs. Culver, Daly, I. D. Miller and McCully.

Mr. Miller of Linn excused on account of sickness.

Journal ordered read, and Mr. Goodsell moved to refer to committee of two, and the motion carried and the Chair appointed Messrs. Goodsell and Gubser.

Mr. Wilson presented petition and remonstrance on house bill No. 32 and senate bill No. 40.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, January 28, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed senate bill No. 90, a bill for an Act to amend the city charter of the town of Marshfield.

And the same is herewith transnitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Mr. Bilyeu moved to suspend the rules and read senate bill No. 90 first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Mitchell, McLean, Munger, McKenzie, Mackay, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—55.

Nays—None.

Absent—Messrs. Bowditch, Daly, Miller of Linn, McCully, Paulsen—5.

So the rules were suspended and senate bill No. 90 was read first time by title.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, January 28, 1887. }

Mr. Speaker: I am directed by the President to inform you that the Senate has passed senate bill No. 112, a bill for an Act to amend the charter of the town of Pendleton.

And the same are herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Mr. Bilyeu moved to suspend the rules and read senate bill No. 112 first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Mitchell, McLean, Munger, McKenzie, Mackay, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—57.

Nays—None.

Absent—Messrs. Daly, Miller of Linn, McCully—3.

So the rules were suspended and senate bill No. 112 was read first time by title only.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, January 28, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed house bill No. 19, a bill for an Act to incorporate the town of Myrtle Point.

And the same is herewith transmitted to you for enrollment.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, January 28, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed house bill No. 22, a bill for an Act to incorporate the town of Albina.

And the same is herewith transmitted to you for enrollment.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, January 28, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed house bill No. 26, a bill for an Act to incorporate the town of Heppner, Morrow county, Oregon.

And the same is herewith transmitted to you for enrollment.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, January 28, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed house bill No. 31, a bill for an Act to incorporate the town of Joseph.

And the same is herewith transmitted to you for enrollment.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 1, 1887. }

Mr. Speaker: I am directed by the President to inform you that he has signed house joint resolution No. 2 of 1885, the same being an amendment to the constitution prohibiting the manufacture and sale of spirituous liquors, etc.

And the same is herewith returned to you for enrollment.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, January 31, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed house bill No. 33.

And the same is herewith transmitted for enrollment.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, January 31, 1887. }

Mr. Speaker: I am directed by the President to inform you that he has signed house joint resolution No. 8.

And the same is herewith returned to you.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, January 31, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed senate bill No. 150, being a bill for an Act to allow the legal voters of Lane county to vote on the question of swine running at large in said county.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Senate bill No. 150 read first time and passed to second reading without a question.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, January 31, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed senate bill No. 155, being a bill for an Act to amend an Act entitled "An Act to authorize the construction of a dyke across Isthmus slough in section 11, township 27 south, range 12 west, in Coos county, State of Oregon," approved November 25, 1885.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Senate bill No. 155 was read first time and passed to second reading.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, January 31, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed senate bill No. 149, being a bill for an Act to amend the charter of Dalles City.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Mr. Biggs moved to suspend the rules and read senate bill No. 149 first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osburn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—58.

Nays—None.

Absent—Messrs. Holland, Miller of Linn—2.

So the rules were suspended and house bill No. 149 read first time by title only.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, January 31, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed house bill No. 156, being a bill for an Act to provide for the times of holding the terms of the circuit court in fifth judicial district.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

And the bill was read first time and passed to second reading without question.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, January 31, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed senate bill No. 151, being a bill for an Act to amend an Act entitled an Act to amend an Act to incorporate the town of Oakland.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Mr. Paulsen moved to suspend the rules and read senate bill No. 151 first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford,

Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—59.

Nays—None.

Absent—Mr. Miller of Linn—1.

So the rules were suspended and senate bill No. 151 was read first time by title only.

Mr. Benjamin moved to further suspend the rules and read the bill second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Mitchell, McLean, McKenzie, Mackay, McCully, Noyer, Osburn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—57.

Nays—None.

Absent—Messrs. Johnson, Miller of Linn, Munger—3.

So the rules were further suspended and senate bill No. 151 was read second time by title.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, January 31, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed senate bill No. 156, being a bill for "An Act to amend an Act entitled 'An Act to incorporate the city of Portland,' approved October 24, 1882."

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Senate bill No. 153 read first time.

Mr. Mackay moved to suspend the rules and read senate bill No. 153 second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay,

Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Mitchell, McLean, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—58.

Nays—None.

Absent—Messrs. Miller of Linn, Munger—2.

So the rules were suspended and senate bill No. 153 was read the second time by title.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 1, 1887. }

Mr. Speaker: I am directed by the President to inform you that senate joint memorial No. 4 has been reported correctly enrolled.

And the same is herewith transmitted to you for your signature.

E. G. HURSH,
Chief Clerk.

The Chair announced that he was about to sign senate joint memorial No. 4, and that he had signed it.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 1, 1887. }

Mr. Speaker: I am directed by the President to inform you that senate joint memorial No. 5 has been reported correctly enrolled.

And the same is herewith transmitted to you for your signature.

E. G. HURSH,
Chief Clerk.

The Chair announced that he was about to sign senate joint memorial No. 5, and that he had signed it.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 1, 1887. }

Mr. Speaker: I am directed by the President to inform you that senate joint resolution No. 6 has been reported correctly enrolled.

And the same is herewith transmitted to you for your signature.

E. G. HURSH,
Chief Clerk.

The Chair announced that he was about to sign senate joint resolution No. 6, and that he had signed it.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, February 1, 1887. }

Mr. Speaker: I am directed by the President to inform you that senate joint resolution No. 9 has been reported as correctly enrolled.

And the same is herewith transmitted to you for your signature.

E. G. HURSH,
Chief Clerk.

The Chair announced that he was about to sign senate joint resolution No. 9, and that he had signed it.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, February 1, 1887. }

Mr. Speaker: I am directed by the President to inform you that senate joint resolution No. 10 has been reported correctly enrolled.

And the same is herewith transmitted to you for your signature.

E. G. HURSH,
Chief Clerk.

The Chair announced that he was about to sign senate joint resolution No. 10, and that he had signed it.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, February 1, 1887. }

Mr. Speaker: I am directed by the President to inform you that senate joint resolution No. 12 has been reported correctly enrolled.

And the same is herewith transmitted to you for your signature.

E. G. HURSH,
Chief Clerk.

The Chair announced that he was about to sign senate joint resolution No. 12, and that he had signed it.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 1, 1887. }

Mr. Speaker: I am directed by the President to inform you that senate joint resolution No. 11 has been reported correctly enrolled.

And the same is herewith transmitted for your signature.

E. G. HURSH,
Chief Clerk.

The Chair announced that he was about to sign senate joint resolution No. 11, and that he had signed it.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 1, 1887. }

Mr. Speaker: I am directed by the President to inform you he has signed house bill No. 222.

And the same is herewith returned to you.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 1, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed senate bill No. 117, being a bill for an Act to amend the charter of the city of Astoria.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Senate bill No. 117 was read first time, and Mr. Maxwell moved to suspend the rules and read second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of

Jackson, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—59.

Nays—None.

Absent—Mr. Miller of Linn—1.

So the rules were suspended and senate bill No. 117 was read second time by title.

Mr. Maxwell moved that the rules be further suspended and senate bill No. 117 be put on third reading and final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—58.

Nays—None.

Absent—Messrs. Bilyeu and Miller of Linn—2.

So the rules were suspended and senate bill No. 117 read third time.

“Shall the bill pass?”

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Little, Mayer, Maxwell, Miller of Jackson, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—57.

Nays—None.

Absent—Messrs. Laughlin, Miller of Linn, Roberts—3.

So the bill passed.

Mr. Gubser moved to suspend the rules and read senate bill No. 156 second time now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Maxwell, Miller of Jackson, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—58.

Nays—None.

Absent—Messrs. Mayer, Miller of Linn—2.

So the rules were suspended and senate bill No. 156 was read second time by title only.

On motion of Mr. Gubser, the bill was referred to committee on judiciary.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 1, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed senate bill No. 158, being a bill for an Act to authorize the construction of a dyke across Duncan slough in section 21, township 18 south, range 11 west of the Willamette meridian, in Lane county, State of Oregon.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Senate bill No. 158 read first time.

Mr. Hale moved to suspend the rules and read senate bill No. 158 second time now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Little, Mayer, Maxwell, Miller of Jackson, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—56.

Nays—None.

Absent—Messrs. Blevins, Laughlin, Miller of Linn, Summers—4.
So the rules were suspended and senate bill No. 158 was read second time by title.

Mr. Hale moved to further suspend the rules and read senate bill No. 158 third time now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Little, Mayer, Maxwell, Miller of Jackson, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Roberts, Richardson, Stafford, Swank, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—55.

Nays—Mr. Paulsen—1.

Absent—Messrs. Crockett, Laughlin, Miller of Linn, Summers—4.
So the rules were suspended and senate bill No. 158 was read third time.

“Shall the bill pass?”

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Roberts, Richardson, Stafford, Swank, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—56.

Nays—None.

Absent—Messrs. Crockett, Miller of Linn, Paulsen, Summers—4.
So the bill passed.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, February 1, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed senate bill No. 95, being a bill for an Act to authorize the Governor to secure the return to Oregon and suitable

burial therein of the body of the late ex-Governor Addison C. Gibbs.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

So senate bill No. 95 was read first time and passed to second reading without question.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 1, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed senate bill No. 26, being a bill for an Act to amend the charter of the city of Salem.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Mr. Hale moved to suspend the rules and read senate bill No. 26 first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Wilson, Wilcox, Mr. Speaker—58.

Nays—None.

Absent—Messrs. Miller of Linn, Vanderpool—2.

So the rules were suspended and senate bill No. 26 was read first time by title only and passed to second reading without a question.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 1, 1887. }

Mr. Speaker: I am directed by the President to inform you that

the senate has passed senate bill No. 1, being a bill for an Act to regulate foreign business in this State, and representing the powers and duties of such.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Mr. Bilyeu moved to suspend the rules and read senate bill No. 1 first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Mitchell, McLean, Munger, McKenzie, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Richardson, Stafford, Swank, Summers, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—53.

Nays—None.

Absent—Messrs. Benjamin, Crook, Miller of Jackson, Miller of Linn, Mackay, Roberts, Smith—7.

So the rules were suspended and senate bill No. 1 was read first time by title only and passed to a second reading without question.

Mr Bilyeu moved to further suspend the rules and read senate bill No. 1 second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blundell, Bilyeu, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—54.

Nays—None.

Absent—Messrs. Benjamin, Bowditch, Biggs, Crook, Miller of Linn, Smith—6.

So the rules were suspended and senate bill No. 1 was read second time by title.

On motion of Mr. Daly the bill was referred to the committee on judiciary.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 1, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed senate bill No. 13, being a bill for an Act to amend section 3, title 1, chapter 50 of the civil code.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Mr. Bilyeu moved to suspend the rules and read senate bill No. 13 first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bilyeu, Biggs, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—56.

Nays—None.

Absent—Messrs. Bowditch, Crook, Miller of Linn, Roberts—4.

So the rules were suspended and senate bill No. 13 was read first time by title only and passed to second reading without question.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 1, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed senate bill No. 30, being a bill for an Act to amend section 5, title 1 of chapter 50 of the miscellaneous laws of Oregon.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Senate bill No. 30 read first time.

Mr. Smith moved to suspend the rules and read senate bill No. 30 second time by title now.

On this question the roll was called and the vote was :

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Mitchell, McLean, McKenzie, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Richardson, Stafford, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—54.

Nays—None.

Absent—Messrs. Crook, Miller of Linn, Munger, Mackay, Roberts, Swank—6.

So the rules were suspended and senate bill No. 30 was read second time by title only.

On motion of Mr. McLean, Hon. W. I. Nichols was invited within the bar.

On motion of Mr. Harris, senate bill No. 30 was referred to committee on roads and highways.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,)
SALEM, February 1, 1887.)

Mr. Speaker: I am directed by the President to inform you that the senate has passed senate bill No. 27, being a bill for an Act to provide for constructing cattle crossings under public roads and highways.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Senate bill No. 27 was read first time and passed to second reading without a question.

MESSAGE FROM THE GOVERNOR.

To the Honorable the Senate and House of Representatives of the State of Oregon:

GENTLEMEN: At an adjourned meeting of "The board of commissioners for the sale of school and university lands," held on Tuesday, February 1, 1887, the following ruling was made:

In the matter of applicants for swamp lands since the passage of the law approved October 18, 1878, relating to such lands, who made applications for such land in excess of the amount specified in that Act, to-wit: 320 acres. *Held*: That such applications and the certificates based thereon are void, being without authority of law.

Following is a list of persons to whom such void certificates have been issued, together with the amount of the land included in such certificates, and also the amount of money paid thereon:

DATE OF CERT.	NO.	NAME OF PURCHASER.	ACRES.	AMOUNT PAID.
July 25, 1880	123	H. C. Owen	55,185.36	\$ 11,468 32
Feb. 23, 1881	124	H. C. Owen	66,606.32	13,366 89
Nov. 22, 1881	127	John N. Vance	5,600.00	1,120 00
Jan. 5, 1882	129	J. N. Vance	800.00	160 00
20, 1882	130	H. C. Owen	720.00	144 00
17, 1882	131	W. B. Todhunter	26,558.54	5,311 71
17, 1882	133	W. B. Todhunter	8,300.88	1,660 17
Sept. 12, 1882	134	H. C. Owen	2,959.80	591 96
Oct. 24, 1882	135	H. J. Glenn	22,055.65	22,055 66
Nov. 28, 1882	136	H. C. Owen	3,200.00	640 00
April 23, 1883	137	Heirs of B. F. Hutchinson	562.31	112 46
Oct. 9, 1883	138	H. C. Owen	10,197.40	2,039 48
Nov. 14, 1883	139	H. C. Owen	126,893.03	25,378 60
14, 1883	140	H. C. Owen	6,716.15	1,343 23
April 3, 1884	141	Ayres & McConnaughey	4,320.42	864 08
3, 1884	142	H. C. Wilson	7,210.64	1,442 13
3, 1884	143	H. F. Wilson	1,082.60	1,082 60
March 10, 1884	145	H. C. Owen	133,400.18	37,545 54
10, 1885	146	A. W. Patterson	3,698.69	739 75
April 3, 1884	144	H. C. Owen	78,901.61	15,780 32
Total			564,969.60	\$ 142,846 90

From the foregoing list it will be seen that \$142,846 90 have been received as payments on the lands included in the certificates so issued.

I presume it will not be necessary for me to adduce any argument to substantiate the ruling of the board. None whatever is needed. The rule is only the plain letter of the law. It must be observed and enforced. But while the board shall do so, it is of the opinion that the purchasers of such land from the board, through its misapprehension of the law, should be entitled to receive back the money so paid upon a return and cancellation of such certificates, with reservations, however, protecting actual settlers who have purchased lands from persons holding such certificates. This the board conceives to be nothing but what is just and fair. I would therefore suggest that provisions should be made by you for the return of the money so paid by the purchasers, to them, so soon as possible after such certificates upon which such money was paid are returned for cancellation.

Besides providing for the repayment of the money paid the State on such void certificates, it would be proper that the legislature should make provision for the payment of outstanding warrants against the State. The amount of such warrants drawn upon the swamp land fund amounts to \$52,406 09, and the interest due thereon, February 1, 1887, amounts to \$41,759 85, making a total of \$94,165 94. Accompanying this message is a detailed statement of such warrants and for what purpose drawn. The greater bulk of these warrants are drawing ten per cent. interest. At the same time the State is loaning money at eight per cent. This is very poor finance, and should be stopped. I would therefore recommend that a levy of one mill on the dollar be authorized by the Legislature, in order to pay these warrants and to return the money paid to the State on void certificates.

In your legislation in regard to this swamp land matter, I trust that you will endeavor to protect the actual settler, so far as possible, who has purchased in good faith.

The legislature, in my judgment, should secure, before its adjournment, a solution of this swamp land matter, so that while injustice may be done none, the State domain shall be parceled out, as was the intent and letter of the law, to actual settlers in small quantities.

A copy of this message has been furnished to the concurrent branch of the legislature.

(Signed)

SYLVESTER PENNOYER.

Communication to the senate from the Governor; 1,000 copies ordered printed and referred to committee on judiciary February 2, 1887.

On motion of Mr. Daly, 500 copies of the message were ordered printed.

By consent, the committee on public land reported back house bill No. 44 without action.

Mr. Paulsen moved to take up second reading of bills.

The motion was sustained.

SECOND READING OF BILLS.

Mr. Goodsell moved to suspend the rules and read house bill No. 112 second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley,

Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—57.

Nays—None.

Absent—Messrs. Crook, Miller of Linn, Roberts—13.

So the rules were suspended and house bill No. 112 was read second time by title, and on motion of Mr. Mayer was referred to committee on commerce.

Mr. Goodsell moved to suspend the rules and read house bill No. 113 second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Vanderpool, Wilson, Wilcox, Mr. Speaker—57.

Nays—None.

Absent—Messrs. Holland, Miller of Linn, Taylor—3.

So the rules were suspended and house bill No. 113 was read second time by title only.

On motion of Mr. Harrington, the bill was referred to committee on corporations.

On motion of Mr. Harrington, courtesies of the house were extended to Hon. M. C. George.

On motion of Mr. Daly, same courtesies were extended to Hon. W. R. Bilyeu.

House bill No. 114 read second time.

On motion of Mr. Smith, referred to committee on roads and highways.

House bill No. 115 read second time.

On motion of Mr. Wilson, the bill was referred to committee on judiciary.

House bill No. 116 read second time.

On motion of Mr. Haley, referred to committee on judiciary after an amendment offered by Mr. Benjamin had been rejected as follows:

AMENDMENT.

In section 525, line 4, strike out 16 and substitute 18.

House bill No. 117 read second time.

Referred on motion of Mr. Paulsen to the special committee on labor.

House bill No. 118 read second time.

On motion of Mr. A. M. Lafollett, referred to committee on railways and transportation.

House bill No. 119 read second time.

On motion of Mr. Crook, referred to committee on education.

Mr. Bilyeu moved to suspend the rules and read house bill No. 120 second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Davis, Daly, Gard, Gubser, Goodsell, Gay, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Little, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Palmer, Pendleton, Richardson, Stafford, Swank, Summers, Pomeroy, Smith, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—49.

Nays—None.

Absent—Messrs. Crockett, Holland, Johnson, Lafollett of Yamhill, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Paulsen, Roberts, Thompson—11.

So the rules were suspended and house bill No. 120 was read second time by title only, and on motion of Mr. Harris was referred to railway and transportation committee.

Mr. Goodsell moved to suspend the rules and read house bill No. 121 second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Kruse, Lockett, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Mitchell, McLean, Munger, McKenzie, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—51.

Nays—None.

Absent—Messrs. Bowditch, Bilyeu, Gay, Holland, Johnson, Lafollett of Marion, Miller of Linn, Mackay, Paulsen—9.

So the rules were suspended and house bill No. 121 was read second time by title only.

On motion of Mr. Pomeroy was referred to committee on assessment and taxation.

Mr. Roberts moved to suspend the rules and read house bill No. 122 second time by title.

On this question the roll was called and the vote was:

Those voting aye were :

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Blevins, Crook, Culver, Crockett, Davis, Dalv, Gard, Gubser, Goodsell, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—55.

Nays—None.

Absent—Messrs. Biggs, Gay, Holland, Miller of Linn, Paulsen—5.

So the rules were suspended and house bill No. 122 was read second time by title only.

On motion of Mr. Roberts, the bill was referred to committee on education.

House bill No. 123 read second time and passed to third reading in order.

House bill No. 124 read second time.

On motion of Mr. Harris referred to committee on judiciary.

Mr. Daly moved that house bill No. 123 be referred to the committee on judiciary.

The motion was sustained and the bill so referred.

House bill No. 125 read second time.

On motion of Mr. Taylor was referred to committee on judiciary.

House adjourned.

AFTERNOON SESSION.

House called to order at 1:30 P. M. by the Speaker in the chair.

The roll was called and those absent were Messrs. Benjamin, Blundell, Bowditch, Crockett, Charles Lafollett, I. D. Miller, Mitchell and McCully.

Mr. Goodsell moved to read senate bill No. 15 the second time now.

The motion prevailed and the bill was read the second time.

Mr. Paulsen moved the amendment to the bill, as follows:

AMENDMENT.

In section 1, line 21 of printed bill to strike out "one hundred and fifty" (150), and substitute "one hundred and seventy-five" (175).

The yeas and nays were demanded by Messrs. Lafollett of Marion, and Paulsen.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Culver, Henry, Hicks, Haley, Lafollett of Marion, McKenzie, Paulsen, Smith, Thompson—8.

Nays—Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Hansard, Harris, Harrington, Holmes, Johnson, Kruse, Lockett, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Mitchell, McLean, Munger, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Roberts, Richardson, Stafford, Swank, Summers, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—50.

Absent—Messrs. Lafollett of Yamhill, Miller of Linn—2.

So the motion to amend was lost.

Mr. Goodsell moved to read senate bill No. 15 third time and put it on its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Daly, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Osborn, Pomeroy, Palmer, Pendleton, Roberts, Richardson, Stafford, Swank, Summers, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—51.

Nays—Messrs. Bowditch, Davis, Gard, Layman, Noyer, Paulsen, Smith—7.

Absent—Messrs. Lafollett of Yamhill, Miller of Linn—2.

So the rules were suspended and senate bill No. 15 was read third time.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—57.

Nays—Messrs. Hicks, Lafollett of Marion—2.

Absent—Mr. Miller of Linn—1.

So senate bill No. 15 passed the house and was transmitted to the senate.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 2, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed senate bill No. 152, being a bill for an Act to amend an Act entitled an Act to incorporate the town of Jacksonville.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Senate bill No. 152 read first time.

Mr. R. A. Miller moved to suspend the rules and read senate bill No. 152 second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Culver, Crockett, Davis, Daly, Gard, Gubser, Gay, Holland, Henry, Hansard, Hicks, Harris, Harrington, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Miller of Jackson, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Wilson, Wilcox, Mr. Speaker—51.

Nays—None.

Absent—Messrs. Blevins, Crook, Goodsell, Hale, Holmes, Maxwell, Miller of Linn, Mitchell, Vanderpool—9.

So the rules were suspended and senate bill No. 152 was read first time by title.

Mr. R. A. Miller moved to refer to committee on corporations.

Mr. Haley offered to amend by referring to judiciary committee.

The amendment was accepted and the house ordered senate bill No. 152 to judiciary committee.

Mr. Laughlin, by consent, offered house resolution No. 48 as follows:

HOUSE RESOLUTION NO. 48.

Resolved, That the standing committees be authorized to discharge all clerks now employed not necessary in the discharge of their duties.

On motion of Mr. Roberts, the house adopted the resolution.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, February 2, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed senate bill No. 39, being a bill for an Act to amend section 7, title 1 of chapter 50 of the miscellaneous laws of the State of Oregon.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Senate bill No. 39 read first time and passed to second reading without question.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, February 2, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed senate bill No. 35, being a bill for an Act for protection of live stock and for pay for stock killed or injured on railroad track.

And the same is herewith transmitted for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Mr. R. A. Miller moved to suspend the rules and read senate bill No. 35 first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Mayer, Maxwell, Miller of Jackson, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Mr. Speaker—53.

Nays—None.

Absent—Messrs. Bilyeu, Laughlin, Little, Miller of Linn, Mitchell, McLean, Wilcox—7.

So the rules were suspended and senate bill No. 35 was read first time by title only and passed to second reading without question.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, February 2, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed senate bill No. 41, being a bill for an Act to prescribe fees of witnesses in Clatsop county.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Senate bill No. 41 was read first time and passed to second reading without a question.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, February 2, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed senate bill No. 50, being a bill for an Act to repeal an Act entitled an Act to protect certain birds of the pheasant kind in the State of Oregon.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Senate bill No. 50 was read first time and passed to second reading without a question.

MESSAGE FROM THE SENATE.

HOUSE OF REPRESENTATIVES, }
SALEM, February 2, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed senate bill No. 52, being a bill for an Act to amend sections 2, 3 and 4 of an Act entitled an Act to regulate the transportation of passengers and freight.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Mr. R. A. Miller moved to suspend the rules and read by title only.

On this question the roll was called and the vote was :

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Palmer, Pendleton, Paulsen, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—55.

Nays—None.

Absent—Messrs. Crockett, Davis, Miller of Linn, Pomeroy and Roberts—5.

So the rules were suspended and senate bill No. 52 was read first time by title only and passed to second reading without question.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, February 2, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed senate bill No. 58, being a bill for an Act to pay certain Territorial warrants.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Senate bill No. 58 was read first time and passed to second reading without a question.

Returned to second reading of house bills.

Mr. Daly moved to suspend the rules and read house bill No. 139 second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Daly, Gard, Gubser, Goodsell, Gay, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Palmer, Pendleton, Paulsen, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilcox, Mr. Speaker—54.

Nays—None.

Absent—Messrs. Davis, Holland, Miller of Linn, Pomeroy, Roberts, Wilson—6.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, February 2, 1887. }

Mr. Speaker: Your committee on military affairs, to whom was referred house bill No. 109, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass as amended as follows:

AMENDMENT.

Strike out all that part of the bill as relates to the Knights of Labor after the word "Republic" in lines 4 and 5 and so much of line 6 up to and including the word "order."

O. SUMMERS,

Chairman Committee on Military Affairs.

So the rules were suspended and house bill No. 139 was read second time by title only.

On motion of Mr. Haley, house bill No. 139 was referred to the committee on judiciary.

Mr. Summers offered house concurrent resolution No. 22 as follows:

HOUSE CONCURRENT RESOLUTION NO. 22.

Resolved by the House, the Senate concurring:

That the committee of the senate and the house on public buildings be instructed to visit and examine the public buildings of the State and to make a report upon the condition of the same, together with their recommendations.

Mr. Summers moved the adoption of house concurrent resolution No. 22.

Carried.

Mr. Paulsen moved to amend house rule 33 as follows:

Add, "*provided*, not more than one reconsideration can be had on one day."

Lost.

By Mr. Maxwell. House bill No. 226, appropriating aid to bridge Trask river.

House bill No. 226 read first time.

By Mr. Wilson. House bill No. 227, to amend an Act incorporating school districts in towns of over 10,000 inhabitants.

House bill No. 227 read first time.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 2, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed senate bill No. 63, being a bill for an Act to amend an Act to regulate the salaries of the county judges.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Senate bill No. 63 read first time and passed to second reading without question.

MESSAGE FROM THE GOVERNOR.

STATE OF OREGON,
EXECUTIVE DEPARTMENT, }
SALEM, February 2, 1887. }

To the Honorable the Speaker of the House:

I am directed by the Governor to inform you that he has signed house bill No. 222, "An Act making an appropriation to pay the

per diem and mileage of the members of the fourteenth biennial session of the legislative assembly of the State of Oregon and other expenses of said session.

And the same has this day been filed in the office of the Secretary of State.

WM. A. MUNLY,
Private Secretary.

By Mr. Munger. House bill No. 228, to amend section 34, title 1, chapter 50, general laws, relating to notices for road work.

Read first time.

Mr. Munger moved to suspend the rules and read house bill No. 228 second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Holland, Henry, Hansard, Hicks, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Maxwell, Miller of Jackson, Mitchell, McLean, Munger, McKenzie, McCully, Noyer, Osborn, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—51.

Nays—None.

Absent—Messrs. Goodsell, Gay, Hale, Harris, Mayer, Miller of Linn, Mackay, Pomeroy, Thompson—9.

So the rules were suspended and house bill No. 228 was read second time by title and on motion of Mr. Munger was referred to committee on roads and highways.

On motion of Mr. Bowditch, Judge Tollman was invited to a seat within the bar.

Mr. Blevins moved to suspend the rules and read house bill No. 229, to provide for election of precinct assessors, first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Holland, Hale, Henry, Hansard, Hicks, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Mitchell, McLean, Munger, McKenzie, McCully, Noyer, Osborn, Palmer, Pendleton, Roberts, Richardson, Stafford, Swank, Summers, Smith, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—50.

Nays—None.

Absent—Messrs. Bilyeu, Goodsell, Gay, Harris, Lafollett of Yamhill, Miller of Linn, Mackay, Pomeroy, Paulsen, Thompson—10.

So the rules were suspended and house bill No. 229 read first time by title only.

Mr. Blevins moved the further suspension of the rules to allow the bill to be read the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Holland, Hale, Henry, Hansard, Hicks, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—53.

Nays—None.

Absent—Messrs. Biggs, Goodsell, Gay, Harris, Lafollett of Marion, Miller of Linn, Thompson—7.

So the rules were suspended and house bill No. 229 was read second time by title.

On motion referred to committee on assessment and taxation.

Introduced by Mr. Wilcox. House bill No. 230, to amend an Act creating the county of Gilliam and fix salaries.

Read first time.

Mr. Wager moved to suspend the rules and read house bill No. 231, to reimburse Coos and Curry counties, first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Holland, Henry, Hansard, Hicks, Harrington, Holmes, Haley, Kruse, Lockett, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, McLean, Munger, McKenzie, Mackay, McCully, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Richardson, Stafford, Swank, Summers, Smith, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—46.

Nays—None.

Absent—Messrs. Biggs, Crook, Goodsell, Gay, Hale, Harris, Johnson, Lafollett of Marion, Lafollett of Yamhill, Miller of Linn, Mitchell, Noyer, Roberts, Thompson—14.

So the rules were suspended and house bill No. 231 was read first time by title only.

By Mr. McLean. House bill No. 232, to prohibit fraud on the right of petition and provide punishment.

Read first time.

By Mr. Wilcox. House bill No. 233, to amend an Act changing the name of the town of Alkali and incorporate the same.

Read first time.

Mr. Wilcox moved to suspend the rules and read house bill No. 233 second time by title now.

On this question the roll was called and the vote was :

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Gay, Holland, Henry, Hansard, Hicks, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Miller of Jackson, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—53.

Nays—None.

Absent—Messrs. Crook, Goodsell, Hale, Harris, Maxwell, Miller of Linn, Mitchell—7.

So the rules were suspended and house bill No. 233 was read second time by title only and on motion of Mr. Wilcox referred to committee on counties.

Mr. Daly moved to suspend the rules and read house bill No. 234, by Mr. Mayer, to amend title 3, chapter 7, miscellaneous laws, first time by title only.

On this question the roll was called and the vote was :

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Gay, Holland, Henry, Hansard, Hicks, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Maxwell, Miller of Jackson, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—54.

Nays—None.

Absent—Messrs. Crook, Goodsell, Hale, Harris, Mayer, Miller of Linn—6.

So the rules were suspended and house bill No. 234 was read first time by title only.

Mr. Mayer moved to further suspend the rules and read house bill No. 234 second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Bowditch, Bilyeu, Biggs, Blevins, Culver, Crockett, Gard, Gubser, Holland, Henry, Hansard, Hicks, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—51.

Nays—None.

Absent—Messrs. Blundell, Crook, Davis, Daly, Goodsell, Gay, Hale, Harris, Miller of Linn—9.

And the rules were suspended and house bill No. 234 read second time by title.

On motion of Mr. Mayer, referred to committee on assessment and taxation.

On motion of Mr. Mitchell, Capt. Kelly was invited within the bar.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 2, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed senate bill No. 66, being an Act to regulate the practice of dentistry in the State of Oregon and providing penalties for the violation of the same.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Mr. Summers moved to suspend the rules and read senate bill No. 66 first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—57.

Absent—Messrs. Crook, Harris, Miller of Linn—3.

So the rules were suspended and house bill No. 66 was read first time by title only and passed to second reading without question.

Mr. Summers moved the further suspension of the rules and read the bill second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Gay, Holland, Hale, Henry, Hansard, Hicks, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—56.

Nays—None.

Absent—Messrs. Crook, Goodsell, Harris, Miller of Linn—4.

So the rules were further suspended and senate bill No. 66 was read second time by title only and passed to third reading.

By Mr. Daly, house bill No. 235, read first time.

Mr. Daly moved to suspend the rules and read second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—57.

Nays—None.

Absent—Messrs. Crook, Goodsell, Miller of Linn—3.

So the rules were further suspended and house bill No. 235 was read second time by title only.

Mr. Daly moved to further suspend the rules and read the bill a third time.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bilyeu, Biggs, Daly, Harrington, Maxwell, Stafford, Swank, Thompson, Mr. Speaker—9.

Nays—Messrs. Benjamin, Blundell, Bowditch, Blevins, Crook, Culver, Crockett, Davis, Gard, Gubser, Gay, Hale, Henry, Hansard, Hicks, Harris, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Miller of Jackson, Mitchell, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Palmer, Pendleton, Paulsen, Richardson, Summers, Smith, Taylor, Vanderpool, Wilson—44.

Absent—Messrs. Goodsell, Holland, Miller of Linn, McLean, Pomeroy, Roberts, Wilcox—7.

So the motion was lost.

On motion of Mr. Thompson, house bill No. 235 was ordered printed.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, February 2, 1887. }

Mr. Speaker: Your committee on engrossed bills, to whom was referred house bill No. 30, beg leave to report the same back to the house as correctly engrossed.

J. H. ROBERTS,
Chairman.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, February 2, 1887. }

Mr. Speaker: Your committee on engrossed bills, to whom was referred house bill No. 13, beg leave to report the same back to the house as correctly engrossed.

J. H. ROBERTS,
Chairman.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, February 2, 1887. }

Mr. Speaker: Your committee on engrossed bills, to whom was referred house bill No. 49, beg leave to report the same back to the house as correctly enrolled.

J. H. ROBERTS,
Chairman.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 2, 1887. }

Mr. Speaker: Your committee on engrossed bills, to whom was referred house bill No. 52, beg leave to report the same back to the house as correctly engrossed.

J. H. ROBERTS,
Chairman.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 2, 1887. }

Mr. Speaker: Your committee on engrossed bills, to whom was referred house bill No. 93, beg leave to report the same back to the house as correctly engrossed.

J. H. ROBERTS,
Chairman.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 2, 1887. }

Mr. Speaker: Your committee on engrossed bills, to whom was referred house bill No. 104, beg leave to report the same back to the house as correctly engrossed.

J. H. ROBERTS,
Chairman.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 2, 1887. }

Mr. Speaker: Your committee on engrossed bills, to whom was referred house bill No. 128, beg leave to report the same back to the house as correctly engrossed.

J. H. ROBERTS,
Chairman.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 2, 1887. }

Mr. Speaker: Your committee on engrossed bills, to whom was referred house bill No. 38, beg leave to report the same back to the house as correctly engrossed.

J. H. ROBERTS,
Chairman.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 2, 1887. }

Mr. Speaker: Your committee on engrossed bills, to whom was referred house bill No. 69, beg leave to report the same back to the house as correctly engrossed.

J. H. ROBERTS,
Chairman.

Mr. Roberts moved that when the house adjourn it adjourn to meet at 7:30 P. M. this day, which motion prevailed.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 2, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed senate bill No. 67, being a bill for an Act authorizing county courts to build armories in cities of 10,000 inhabitants and to provide for the use thereof.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Mr. Summers moved to suspend the rules and read senate bill No. 67 first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lafollett of Marion, Lafollett of Yamhill, Layman,

Laughlin, Little, Maxwell, Miller of Jackson, Mitchell, McLean, McKenzie, Mackay, Noyer, Osborn, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—53.

Nays—None.

Absent—Messrs. Benjamin, Lockett, Mayer, Miller of Linn, Munger, McCully, Pomeroy—7.

So the rules were suspended and senate bill No. 67 was read first time by title only.

Mr. Summers moved to further suspend the rules and read the bill the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Holmes, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Maxwell, Miller of Jackson, Mitchell, McLean, Mackay, McCully, Osburn, Palmer, Pendleton, Paulsen, Roberts, Richardson, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—50.

Nays—Messrs. Haley, Noyer, Stafford—3.

Absent—Messrs. Harrington, Little, Mayer, Miller of Linn, Munger, McKenzie, Pomeroy—7.

So the rules were suspended and house bill No. 67 was read second time by title and passed to third reading in order.

Mr. Summers introduced house bill No. 236, to amend section 879, title 4, chapter 11, civil code, general laws.

Mr. Summers moved the rules be suspended and house bill No. 236 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Henry, Hansard, Hicks, Harris, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Mitchell, McLean, Munger, Mackay, McCully, Noyer, Osborn, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Wilson, Wilcox, Mr. Speaker—51.

Nays—None.

Absent—Messrs. Crook, Crockett, Hale, Harrington, Miller of Linn, McKenzie, Pomeroy, Taylor, Vanderpool—9.

So the rules were suspended and house bill No. 236 was read first time by title only.

Mr. Summers moved the further suspension of the rules and that house bill No. 236 be read second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Culver, Daly, Gard, Gubser, Goodsell, Gay, Holland, Henry, Hansard, Harris, Harrington, Holmes, Johnson, Kruse, Lockett, Lafollett of Yamhill, Laughlin, Mayer, Maxwell, Miller of Jackson, Mitchell, McLean, Munger, Mackay, McCully, Noyer, Osborn, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Vanderpool, Wilson, Wilcox, Mr. Speaker—44.

Nays—Messrs. Hicks, Haley, Lafollett of Marion, Layman—4.

Absent—Messrs. Bilyeu, Biggs, Blevins, Crook, Crockett, Davis, Hale, Little, Miller of Linn, McKenzie, Pomeroy, Taylor—12.

So the rules were suspended and house bill No. 236 was read second time by title and on motion of Mr. Summers was ordered printed and referred to committee on judiciary.

Mr. R. A. Miller introduced house bill No. 237, granting certain privileges to Rogue River Boom Company, and moved the rules be suspended and the bill read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Mayer, Maxwell, Miller of Jackson, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—52.

Nays—None.

Absent—Messrs. Biggs, Blevins, Crook, Hale, Little, Miller of Linn, Pomeroy, Summers—8.

So the rules were suspended and house bill No. 237 was read first time by title only.

House bill No. 238, by Mr. Maxwell, to enable and authorize county court of Tillamook county to negotiate a loan and issue bonds.

Read first time.

House bill No. 239, by Mr. Paulsen, for appointment of judges of elections and provide for posting notices, etc., etc., transmitting through mail.

Read first time.

House bill No. 240, by Mr. Gay, to amend an Act to amend section 117, chapter 12, miscellaneous provisions relating to proceedings in justices' courts.

Read first time.

Mr. Gay moved to suspend the rules and read house bill No. 240 a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Crockett, Daly, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Vanderpool, Wilson, Wilcox, Mr. Speaker—50.

Nays—Messrs. Culver, Gard, Hicks, Layman, Taylor—5.

Absent—Blevins, Crook, Davis, Miller of Linn, Pomeroy—5.

So the rules were suspended and the bill was read second time by title.

On motion of Mr. Hale, house bill No. 240 was ordered printed.

On motion of Mr. Hale, the house adjourned.

— — — — — EVENING SESSION.

House called to order at 7:30 P. M., the Speaker in the chair.

The roll was called and those absent were Messrs. Bowditch, Crook, Culver, Gard, Charles Lafollett, R. A. Miller, I. D. Miller, McLean, Munger, Mackay, Noyer, Pomeroy and Wilcox.

Mr. Roberts moved that incorporations, change of county lines and changes of names of towns be the order of the evening.

Carried.

By consent of the house, following reports were received:

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, January 28, 1887. }

Mr. Speaker: Your committee on Indian affairs, to whom was referred house bill No. 56, beg leave to report that they have had

the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

H. C. GAY,
Chairman.

And the bill was considered engrossed and passed to third reading.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, February 2, 1887. }

Mr. Speaker: Your committee on corporations, to whom was referred house bill No. 113, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

R. R. LAUGHLIN,
Chairman.

And the bill was considered engrossed and passed to third reading.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, February 2, 1887. }

Mr. Speaker: Your committee on corporations, to whom was referred house bill No. 168, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do not pass.

R. R. LAUGHLIN,
Chairman.

And the bill was considered engrossed and passed to third reading.

Mr. Paulsen offered the following

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, January 27, 1887. }

Mr. Speaker: The undersigned, who was authorized by house resolution No. 42 to correct a clerical error which had occurred in house joint memorial No. 2, herewith returns said house joint memorial No. 2 duly corrected as authorized in said house resolution No. 42.

THOMAS PAULSEN.

And house joint memorial No. 2 was returned to enrolling committee.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Little, Miller of Jackson, Mitchell, McLean, McKenzie, Noyer, Osborn, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—50.

Nays—None.

Absent—Messrs. Biggs, Goodsell, Lafollett of Yamhill, Mayer, Maxwell, Miller of Linn, Munger, Mackay, McCully, Pomeroy—10.

So the bill passed and the title of the bill stood as the title of the Act.

Mr. Thompson moved to take up house bill No. 186 and read second time.

The motion was lost.

House bill No. 128 read third time.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Gubser, Goodsell, Holland, Hale, Henry, Hansard, Hicks, Harris, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Little, Mayer, Mitchell, McLean, McKenzie, McCully, Pomeroy, Palmer, Roberts, Stafford, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—42.

Nays—Messrs. Harrington, Munger, Noyer, Osborn, Pendleton, Paulsen, Richardson, Swank, Summers, Smith—10.

Absent—Messrs. Daly, Gard, Gay, Lafollett of Yamhill, Maxwell, Miller of Jackson, Miller of Linn, Mackay—8.

So house bill No. 128 passed and the title of the bill stood as the title of the Act.

House bill No. 52 read third time.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin,

Little, Mayer, Maxwell, Mitchell, McLean, Munger, McKenzie, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—54.

Nays—None.

Absent—Messrs. Biggs, Lafollett of Yamhill, Miller of Jackson, Miller of Linn, Mackay, Paulsen—6.

So house bill No. 52 passed and the title of the bill stood for the title of Act.

House bill No. 66 read third time.

“Shall the bill pass?”

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Little, Mayer, Maxwell, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—56.

Nays—None.

Absent—Messrs. Lafollett of Yamhill, Miller of Jackson, Miller of Linn, Paulsen—4.

So house bill No. 66 passed and the title of the bill stood for the title of the Act.

House bill No. 104 read third time.

“Shall the bill pass?”

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Little, Mayer, Maxwell, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—54.

Nays—None.

Absent—Messrs. Biggs, Hicks, Lafollett of Yamhill, Miller of Jackson, Miller of Linn, Paulsen—6.

So the bill passed, and the title of the bill stood as the title of the Act.

Mr. Munger was excused on account of indisposition.

House bill No. 69 read third time.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Hansard, Hicks, Harrington, Holmes, Haley, Lafollett of Marion, Layman, Laughlin, Little, Mayer, Mitchell, McKenzie, McCully, Osborn, Pendleton, Stafford, Summers, Vanderpool, Wilcox—28.

Nays—Messrs. Blundell, Daly, Gard, Gubser, Gay, Holland, Henry, Harris, Johnson, Kruse, Lockett, Maxwell, McLean, Noyer, Pomeroy, Palmer, Roberts, Richardson, Swank, Smith, Thompson, Taylor, Wilson, Mr. Speaker—24.

Absent—Messrs. Goodsell, Hale, Lafollett of Yamhill, Miller of Jackson, Miller of Linn, Munger, Mackay, Paulsen—8.

So the bill failed to pass.

On motion of Mr. R. A. Miller, the house adjourned.

THURSDAY, FEBRUARY 3, 1887.

MORNING SESSION.

HOUSE OF REPRESENTATIVES,
SALEM, February 3, 1887. }

House called to order at 9:30 A. M., the Speaker in the chair.

Prayer by Rev. M. Newell of Salem.

The roll was called and those absent were Messrs. Henry, Harrington, Miller of Linn, Mitchell, Palmer, Stafford and Smith.

Mr. Miller absent on leave.

Mr. Miller of Linn excused till to-morrow; sick.

Mr. Daly moved the journal be dispensed with this day.

So ordered.

Mr. Goodsell made the following

REPORT.

SALEM, OREGON,
February 2, 1887. }

Mr. Speaker: Your committee to whom was referred the examin-

ation of the minutes of the house of January 28, 1887, beg leave to report that they have examined the same and find them correct.

D. GOODSSELL,
Chairman.

(On motion of Mr. Paulsen, the report was adopted.)

INTRODUCTION AND FIRST READING OF BILLS.

House bill No. 241, to amend charter of city of Newport.

Mr. Davis moved the rules be suspended and the bill be read the first time by title only.

(On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Hale, Hansard, Hicks, Harris, Holmes, Haley, Johnson, Kruse, Lafollett of Marion, Lafollett of Yamhill, Little, Mayer, Maxwell, Miller of Jackson, Mitchell, McLean, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Pendleton, Paulsen, Roberts, Richardson, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—49.

Nays—None.

Absent—Messrs. Holland, Henry, Harrington, Lockett, Layman, Laughlin, Miller of Linn, Mitchell, Munger, Palmer, Stafford—11.

So the rules were suspended and house bill No. 241 was read first time by title only.

Mr. Davis moved to further suspend the rules and read the bill second time by title now.

(On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blundell, Bilyeu, Biggs, Blevins, Crook, Crockett, Davis, Daly, Goodsell, Gay, Hale, Harris, Holmes, Haley, Johnson, Lafollett of Yamhill, Laughlin, Little, Maxwell, Mitchell, McLean, McKenzie, McCully, Osborn, Pomeroy, Roberts, Richardson, Swank, Summers, Smith, Vanderpool, Wilson, Wilcox, Mr. Speaker—34.

Nays—Messrs. Culver, Gard, Gubser, Hansard, Hicks, Kruse, Lafollett of Marion, Mayer, Noyer, Pendleton, Thompson, Taylor—12.

Absent—Messrs. Benjamin, Bowditch, Holland, Henry, Harrington, Lockett, Layman, Miller of Jackson, Miller of Linn, Munger, Mackay, Palmer, Paulsen, Stafford—14.

So the motion to suspend was lost.

House bill No. 242, by Mr. Paulsen, enabling women to hold office of county school superintendent.

Read first time.

Mr. Laughlin moved to suspend the order and take up house bill No. 18 and read third time and put on final passage.

The motion was sustained and house bill No. 18 was read third time.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Daly, Gard, Gubser, Goodsell, Gay, Hale, Henry, Hensard, Hicks, Harris, Holmes, Haley, Johnson, Kruse, Lafollett of Marion, Lafollett of Yamhill, Laughlin, Little, Mayer, Maxwell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—51.

Nays—None.

Absent—Messrs. Davis, Holland, Harrington, Lockett, Layman, Miller of Jackson, Miller of Linn, Mitchell, Paulsen—9.

So house bill No. 18 was passed, and the title of the bill stood as the title of the Act.

By Mr. Noyer. House bill No. 243, to establish uniformity in measurement of green and ripe fruit.

Read first time.

Mr. McLean moved to suspend the rules and read house bill No. 244, to declare void certain certificates of sale, etc., of swamp lands first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Daly, Gard, Gubser, Goodsell, Gay, Holland, Henry, Hensard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Mitchell, McLean, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilcox, Mr. Speaker—51.

Nays—None.

Absent—Messrs. Blundell, Davis, Hale, Lockett, Miller of Jackson, Miller of Linn, Munger, Paulsen, Wilson—9.

So the rules were suspended and house bill No. 244 was read first time by title only.

Mr. McLean moved to further suspend the rules and read house bill No. 244 a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were :

Messrs. Benjamin, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Daly, Gard, Gubser, Goodsell, Holland, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilcox, Mr. Speaker—50.

Nays—None.

Absent—Messrs. Blundell, Davis, Gay, Hale, Henry, Lockett, Miller of Linn, Paulsen, Roberts, Wilson—10.

So the rules were suspended and house bill No. 244 was read the second time by title.

On the motion of Mr. McLean house bill No. 244 was ordered printed immediately and referred to committee on public lands.

Mr. Osborn introduced house joint resolution No. 9 and moved its adoption.

HOUSE JOINT RESOLUTION NO. 9.

WHEREAS, By the provisions of an Act to provide for the construction of the Willamette Valley and Coast Railroad, approved October 24, 1874, as amended by an Act approved October 14, 1878, there was granted to the Willamette Valley and Coast Railway Company all the tide and marsh lands situated on the tide waters of the Yaquina bay in this State, and there was further granted to said company all the taxes levied, assessed or collected, or which might have been levied, assessed or collected by the State upon all the property of said company for the period of twenty years; and,

WHEREAS, Said grant was upon condition that said company should complete its line of railroad from the town of Corvallis in Benton county in this State to tide water on said Yaquina bay, within six years from October 14, 1878; and,

WHEREAS, The effect of these enactments is to exempt all the property of said company, both real and personal, from taxation for a long period of years for all purposes, State, county, municipal and school, and is especially unjust as to local taxes, the most important of which is the district school tax, and is contrary to the provisions of the constitution of this State, which requires that taxes shall be uniform and equal; and,

WHEREAS, It is believed by many that said company has not complied with the provisions of Acts; therefore,

Resolved by the House, the Senate concurring :

That the property of said Willamette Valley and Coast Railroad Company is liable to taxation the same as all other property in this State, and the proper officers of the respective taxing districts where the property of said company is situated are hereby directed to include in all assessments for taxation all the property of said company, the same as other is assessed and taxed.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Benjamin, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Daly, Gard, Gubser, Goodsell, Holland, Hale, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Kruse, Laughlin, Little, Mayer, McLean, Munger, Mackay, Osborn, Palmer, Paulsen, Richardson, Stafford, Summers, Smith, Thompson, Vanderpool, Wilson, Wilcox—37.

Nays—Messrs. Blundell, Davis, Lafollett of Marion, Lafollett of Yamhill, Layman, Maxwell, Miller of Jackson, Mitchell, McKenzie, McCully, Noyer, Pomeroy, Pendleton, Swank, Taylor, Mr. Speaker—14.

Absent—Messrs. Gay, Henry, Johnson, Lockett, Miller of Linn, Roberts—6.

So house joint resolution No. 9 was adopted.

Mr. Bilyeu moved suspension of rules on house bill No. 245, by Mr. Goodsell, to incorporate the city of Portland, and allow it read first time by title only.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Hale, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Maxwell, Miller of Jackson, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—50.

Nays—None.

Absent—Messrs. Goodsell, Gay, Holland, Henry, Mayer, Miller of Linn, Mitchell, McLean, Paulsen, Roberts—10.

So the rules were suspended and house bill No. 245 was read first time by title only.

On motion of Mr. Harris, house bill No. 245 ordered not printed.

Mr. Mackay moved to further suspend the rules and read the bill the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crockett, Davis, Daly, Gubser, Goodsell, Hansard, Harris, Harrington, Holmes, Johnson, Kruse, Lockett, Lafollett of Yamhill, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Munger, McKenzie, Mackay, McCully, Osborn, Pomeroy, Palmer, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Vanderpool, Wilson, Wilcox, Mr. Speaker—42.

Nays—Messrs. Culver, Hicks, Haley, Lafollett of Marion, Layman, Noyer, Pendleton, Thompson—8.

Absent—Messrs. Crook, Gard, Gay, Holland, Hale, Henry, Miller of Linn, Mitchell, McLean, Taylor—10.

So the rules were further suspended and house bill No. 245 read second time by title, and on motion of Mr. Mackay referred to Multnomah delegation.

Mr. Bilyeu moved to suspend the rules and read house bill No. 246, to repeal an Act entitled "An Act to amend section 914, title 1, chapter 12, and sections 926, 929, 930, 931, 932 and 937 of title 3 of said chapter 12 of the code of civil procedure, as compiled by M. P. Deady and Lafayette Lane, and also to amend sections 31, 34 and 38, and to repeal section 33 of chapter 5, title 1 of the code of criminal procedure as compiled by said Deady and Lane, approved February 24, 1885, and to amend section 178 of title 2 of chapter 2, and to amend sections 921 and 922 of title 2 of chapter 12 of the code of civil procedure, and to amend sections 927, 929 and 937 of title 3, chapter 12, of the code of civil procedure, and to amend section 918 of title 1 of chapter 12 of the code of civil procedure, as amended by an Act entitled an Act entitled an Act to amend section 918 of title 1 of chapter 12 of the civil code, approved October 24, 1882, by Mr. Goodsell, first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Crockett, Daly, Gard, Gubser, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Mayer, Maxwell, Miller of Jackson, Mitchell, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—49.

Nays—None.

Absent—Messrs. Crook, Davis, Goodsell, Gay, Holland, Hale, Henry, Laughlin, Little, Miller of Linn, McLean—11.

So the rules were suspended and house bill No. 246 was read first time by title only.

Mr. Laughlin was permitted to introduce a remonstrance to amended house bill No. 6.

Mr. Roberts introduced

HOUSE RESOLUTION NO. 49.

Resolved, That the chairmen of the various committees of the house be instructed to certify to the Secretary of State the per diem of the clerks employed on such committees, and that the Secretary of State be directed to draw his warrant in favor of such clerks for the amount certified to him; *provided*, that the per diem of the clerks on the enrolling, engrossing and judiciary committees shall receive five dollars per day and the clerks of other standing committees shall receive three dollars per day.

Mr. Noyer offered as

AMENDMENT.

Provided, That a committee of five be appointed to fix the salary and per diem of committee clerks in the house.

Adopted.

On the adoption of the resolution as amended Messrs. Noyer and Bowditch called for the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—57.

Nays—None.

Absent—Messrs. Holland, Miller of Jackson, Miller of Linn—3.

So the resolution was adopted as amended.

The Chair appointed as committee on clerks' wages Messrs. Noyer, Wilson, Haley, Roberts and Pendleton.

Mr. Bowditch moved to suspend the rules and read house bill No. 247, by Mr. Bowditch, to amend Act incorporating city of Ashland, first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Daly, Gard, Gubser, Goodsell, Gay, Hale, Henry, Hansard, Hicks, Harris, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—55.

Nays—None.

Absent—Messrs. Crockett, Davis, Holland, Harrington, Miller of Linn—5.

So the rules were suspended and house bill No. 247 was read first time by title only.

Mr. Bowditch moved the further suspension of the rules to read second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Davis, Daly, Gard, Gubser, Goodsell, Gay, Hale, Henry, Hansard, Holmes, Johnson, Kruse, Lockett, Lafollett of Yamhill, Laughlin, Little, Maxwell, Miller of Jackson, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—48.

Nays—Messrs. Culver, Hicks, Haley, Lafollett of Marion, Layman, Thompson—6.

Absent—Messrs. Crockett, Holland, Harris, Harrington, Mayer, Miller of Linn—6.

So the rules were suspended and house bill No. 247 was read second time by title only.

On motion of Mr. Bowditch, referred to committee on corporations.

By consent Mr. Daly introduced

HOUSE RESOLUTION NO. 50.

WHEREAS, Senate joint resolution No. 2 of special session of the legislature of 1885 regarding the accounts of Captain John Mullan was not signed by the President of the senate nor Speaker of the house as required by the constitution to make it valid; and,

WHEREAS, The Hon. R. P. Earhart, ex-Secretary of State for the State of Oregon, has in answer of inquiry made of him by the committee appointed under house resolution No. 35 made answer that there are a number of claims by said Captain John Mullan against the State of Oregon now in the office of the Secretary of State, which said Hon. R. P. Earhart when acting as said Secretary refused to audit or allow; therefore, be it

Resolved, That the attempt to appoint said Captain John Mullan as State agent shall stand for naught, and any and all accounts made against the State by said Captain John Mullan by virtue of said resolution shall not be audited or paid by the Secretary of State or any other officer of the State; that all resolutions or parts of resolutions inconsistent with this resolution are hereby repealed.

Mr. Daly moved to adopt.

Mr. Paulsen moved to refer to judiciary committee.

Mr. Bilyeu moved to amend by referring to committee on claims.

Mr. Paulsen accepted the amendment.

On the vote to refer the Chair declared the amendment had carried.

The vote recurring on the original motion as amended, the resolution was declared referred to the committee on claims.

House bill No. 126 read second time.

Mr. Thompson moved to refer to committee on judiciary.

Mr. Harrington moved to amend by referring to the committee on roads and highways.

The motion to amend was lost and the motion to refer to the committee on judiciary was sustained.

House bill No. 127 read second time.

On motion of Mr. Roberts, referred to committee on education.

Mr. Crook moved to suspend the rules and read house bill No. 129 the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Davis, Daly, Gard, Gubser, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—54.

Nays—None.

Absent—Messrs. Crockett, Goodsell, Lafollett of Marion, Lafollett of Yamhill, Miller of Linn, Summers—6.

So the rules were suspended and house bill No. 129 was read second time by title only.

On motion of Mr. Thompson, was referred to the committee on judiciary.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Little, Mayer, Maxwell, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—56.

Nays—None.

Absent—Messrs. Lafollett of Yamhill, Miller of Jackson, Miller of Linn, Summers—4.

So the rules were suspended and house bill No. 130 was read second time by title only.

Mr. Mayer moved to amend as follows:

AMENDMENT.

In section 1, line 4, by striking out the words "of one mile north and one-fourth;" also in section 2, by striking out all of lines 1 and 2 and the words "set out in this Act provided," of line 3; also that the word "the" in line 3, section 2, be stricken out and the word "that" be substituted.

The house adopted the amendment and ordered the bill engrossed. House bill No. 131 read second time.

Mr. Benjamin moved that the house do resolve itself into a committee of the whole for consideration of house bill No. 131.

Carried.

The house went into committee of the whole, Mr. Benjamin in the chair.

After deliberation the committee arose and reported as follows:

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 3, 1887. }

Mr. Speaker: The committee of the whole in consideration of

house bill No. 131 recommend the bill be referred to committee on education with the amendment offered by Mr. Bowditch.

W. T. BENJAMIN,

Chairman Committee of the Whole.

Amend section 28, house bill No. 131, as follows:

AMENDMENT.

By striking out the word "six" in line 5 in said section and insert the word "five" in its place.

The house adopted the report on motion of Mr. Thompson and the bill was referred to committee on education.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 3, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has adopted senate concurrent resolution No. 10, the same being amendatory of senate concurrent resolution No. 8.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

House bill No. 132 read second time and amendments offered as follows:

FIRST AMENDMENT.

Multnomah county, strike out \$2,000 and insert \$2,500, by Mr. Daly.

SECOND AMENDMENT.

Washington county, strike out \$500 and insert \$600, by Mr. Smith.

THIRD AMENDMENT.

Klamath county, strike out \$250 and insert \$500, by Mr. McLean.

FOURTH AMENDMENT.

Marion county, strike out \$1,000 and insert \$1,200, by Mr. Pendleton.

FIFTH AMENDMENT.

Union county, strike out \$600 and insert \$900, by Mr. McCully.

SIXTH AMENDMENT.

Josephine county, strike out \$300 and insert \$500, by Mr. Mitchell.

SEVENTH AMENDMENT.

Douglas county, strike out \$800 and insert \$600, by Mr. Benjamin.

EIGHTH AMENDMENT.

Morrow county, strike out \$400 and insert \$600, by Mr. Gay.

NINTH AMENDMENT.

Benton county, strike out \$600 and insert \$800, by Mr. Osborn.

TENTH AMENDMENT.

Jackson county, strike out \$800 and insert \$1,000, by Mr. R. A. Miller.

ELEVENTH AMENDMENT.

Clatsop county, strike out \$600 and insert \$900, by Mr. Maxwell.

TWELFTH AMENDMENT.

Tillamook county, strike out \$100 and insert \$200, by Mr. Maxwell.

And the house adopted the amendments.

MESSAGE FROM THE GOVERNOR.

STATE OF OREGON,
EXECUTIVE DEPARTMENT,
SALEM, February 3, 1887. }

To the Honorable the Speaker of the House:

As a matter of gratifying intelligence, the Governor directs me to submit to the legislature the enclosed dispatch received this morning from Senator John H. Mitchell.

WM. A. MUNLY,
Private Secretary.

DISPATCH.

WASHINGTON, D. C.,
9:36 A. M. February 3, 1887. }

Hon. Sylvester Pennoyer, Governor of Oregon:

Under instructions from senate committee on transportation route to seaboard, I yesterday reported to senate with favorable recommendation a bill appropriating five hundred thousand dollars for final survey and commencement of construction of a boat railway at the dalles, accompanied with emphatic favorable report signed by eight of the nine Senators on the committee—four Republicans and four Democrats.

(Signed.)

JOHN H. MITCHELL.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 3, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed senate bill No. 92, being a bill for an Act to amend section 23 of title 3 of an Act entitled an Act to establish a uniform course of public instruction in the common schools of this State.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Senate bill No. 92 was read first time and passed to second reading without a question.

The committee on mileage and per diem reported, and on motion, the report was adopted, as follows:

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 2, 1887. }

Mr. Speaker: Your committee on mileage and per diem beg leave to report that they have had the same under consideration and herewith submit their report.

P. S. NOYER,
Chairman.

MILEAGE AND PER DIEM.

NAMES OF REPRESENTATIVES.	MILES TRAV'LED	AMOUNT DUE.
Benjamin	304	\$ 45 00
Blundell	354	53 10
Bowditch	600	90 00
Bilyeu	144	21 60
Biggs	338	50 70
Blevins	70	10 50
Crook	800	120 00
Culver	12	1 80
Crockett	600	90 00
Davis	220	33 00
Daly	30	4 50
Gard	150	22 50
Gubser	148	22 20
Goodsell	106	15 90
Gay	504	75 60
Holland	1,076	161 40
Hale	188	28 20
Henry	120	18 00
Hansard	84	12 60
Hicks	36	5 40
Harris	106	15 90
Harrington	106	15 90
Holmes	30	4 50
Haley	30	4 50
Johnson	1,020	153 00
Kruse	100	15 00
Lockett	1,076	161 40
A. M. Lafollett	18	2 70
Charles Lafollett	240	36 00
Layman	32	4 80
Laughlin	180	27 00
Little	200	30 00
Mayer	114	17 10
Maxwell	280	42 00
R. A. Miller	570	88 50
I. D. Miller	40	6 00
Mitchell	502	75 30
McLean	750	112 50
Munger	108	16 20
McKenzie	240	36 00
Mackay	106	15 90
McCully	930	139 50
Noyer	114	17 10
Osborn	76	11 40
Pomeroy	210	31 50
Palmer	312	46 80
Pendleton	50	7 50
Paulsen	124	18 60
Roberts	600	90 00
Richardson	66	9 90
Stafford	164	24 60
Swank	106	15 90
Summers	106	15 90
Smith	150	22 50
Thompson	144	21 60
Taylor	816	122 40
Vanderpool	96	14 40
Wilson	108	16 20
Wilcox	596	89 40
Gregg	4	60

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 3, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed senate bill No. 89, being a bill for an Act to provide for the foreclosure of the mortgage executed by the Baker City academy to the State of Oregon, and to provide for the sale of said mortgaged premises if the title thereto is acquired by the State of Oregon.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Mr. Bilyeu moved to suspend the rules and read senate bill No. 89 first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Davis, Daly, Gard, Gubser, Goodsell, Gay, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Richardson, Stafford, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—54.

Nays—None.

Absent—Messrs. Crook, Crockett, Holland, Miller of Linn, Roberts, Swank—6.

So the rules were suspended and senate bill No. 89 was read first time by title only and passed to second reading without a question.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 3, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed senate bill No. 107, being a bill for an Act to provide for the sale of certain land belonging to the State of Oregon.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Senate bill No. 107 read first time and passed to second reading without question.

House bill No. 133 read second time, was considered engrossed and went to its third reading in order.

Mr. Laughlin offered, by consent, house joint memorial No. 4 as follows, which on motion of Mr. Laughlin was adopted:

HOUSE JOINT MEMORIAL NO. 4,

With memorial introduced by Mr. Laughlin at the fourteenth biennial session of the legislative assembly of the State of Oregon.

Be it resolved by the House, the Senate concurring :

That the following memorial to the congress of the United States is hereby adopted, that the Secretary of State furnish to our senators and representative each a copy of the same, and that they are hereby requested to present the same to the fiftieth congress:

House Joint Memorial No. —.

To the Honorable the Congress of the United States:

Your memorialists, the legislative assembly of the State of Oregon, respectfully calls attention to the fact that the original Oregon Territory, now comprising the State of Oregon and the Territories of Washington and Idaho and the western portion of Montana, is a vast area of rich and valuable territory, equal in extent to the six New England States and Ohio combined, and whose resources and adaptation for the habitation of civilized communities is scarcely excelled by any portion of the Union. That this area of territory, as vast and valuable as it is, was, by the simple encouragement of the United States, taken possession of and secured to our Government solely by the indomitable and persevering energy of frontier pioneers. That they traversed the continent with their families in early days, and demonstrated to our Government the value of the country and the practicability of its becoming a part of the American Union of States at a time when the problem was much doubted by officers high in the authority of the Government. That no soldiery preceded or accompanied them, and the coming of any troops for the protection of the settlers from the merciless savages was slow and inadequate. In the years 1855-6, in the ordinary course of events in the settlement of the new country, an Indian war arose of great proportions and in which there was an evident concert of action amongst all the numerous tribes upon every side of the white settlement. That not only were settlers and their

families and travelers remotely situated massacred and their property destroyed or driven off, but merciless depredations were perpetrated in the villages and near to the larger towns.

Only in the denser settlements of the Willamette valley was there felt to be any safety, and even there there was an apprehension of the possibility of danger from the Indians. The regular troops in the Territories were wholly inadequate in a united encounter by the Indians; but as the common mode of Indian warfare is to disseminate in small wandering bands and wreak the merciless savagery upon the unprotected, the United States troops that were in the Territories numbering but a few hundred were almost of no avail for the defense of the many hundreds of miles of frontier. In addition to the actual difficulties that were arising, the commanding officer of the small number of troops in the Territories was unsympathizing and inconsiderate of the needs of the embryo communities.

The Governors of the two Territories, I. I. Stevens and George L. Curry, in accordance with general public opinion, wisely concluded that the crisis would admit of no delay when there was such an evident uniting and combining of all the Indian tribes for the purpose of war. Mature reflections upon the events, after many years, and the experiences of later Indian wars here and in other States and Territories, show that the Governors acted in the very highest wisdom in calling forth a sufficient force of volunteers to visit early punishment upon the numerous tribes that had united for war. It is beyond the possibility of a doubt, and particularly with the unwise policy of the commanding officer of the regular troops not to make a [winter] campaign, that without the services rendered by the volunteer forces not only would the depredations have been carried to such an extent as to almost if not entirely destroy the settlements, but all the regular troops that were in or that were subsequently sent into the Territories would not have been able to quell or withstand the combined tribes. Without the winter campaign by the volunteer forces at the commencement of hostilities, the war could not have been in any way terminated within a year of the time it was, or without a result that would have been appalling. It is a well known fact that by their familiarity with the mountain passes and their ability to readily move the small amount of property they possess from place to place, it is usually difficult to terminate any Indian war in a single campaign of a winter or summer. In no other Indian war on the Pacific coast, and in few if any others elsewhere in the past half century, have there been any near comparison of the number of Indians engaged that there were in the war of 1855-6 in Oregon and Washington Territories; and experience in the Indian wars of Arizona, the Nez Percés and

Modoc wars, the Custer campaign and Colonel Wright's campaigns, show that the services of the Oregon and Washington volunteers were far more than commonly successful, and that the expenses, as audited allowed by the commission, consisting of Generals Rufus Ingalls and A. J. Smith of the United States Army, and Hon. L. F. Grover, appointed under an Act of congress of 1856, were not extravagant or unreasonable, but were justly due.

In a war that taxed the utmost capacity of the new and small community in a remote and isolated country, it may well be expected that prices of supplies, equipments and transportation and the services of the volunteer forces would be costly. But that war and those services were an absolute necessity on the part of the white settlers in the country, and could not have been conducted otherwise than as they were or more advantageously, notwithstanding the disapproval of General Wool; and was conducted as economically as any of the wars, either Indian or other, have been since that time. After the discovery of gold mines on the Pacific coast it is well known that prices of everything for many years rated vastly higher here than in the older States. It is unreasonable to fix the compensation of the volunteer soldiers enlisted for a few months from a sparse community of settlers in a remote country by the compensation provided by law for the soldiers of the regular army who are enlisted in the over-populated cities, and probably mostly from the ranks of the newly arrived foreigners.

While the General Government recognized its liability for such expenses, nevertheless by the scaling process adopted, prices were reduced to an equality with the lowest eastern markets, and so as to amount to no remuneration in the locality for the expenses incurred.

The losses naturally ensuing from such a combined and continued state of Indian hostilities were injurious and damaging enough to the young communities, but when, in addition, they were compelled to maintain the burden of the heavy expenses of the war, the injury became lasting, and the effects are still manifest on those of their descendants who suffered losses by such war, or who furnished supplies to or assisted in the volunteer service.

Your memorialist respectfully calls attention to the fact that while the settlers and inhabitants of this Territory have ever been peaceable and industrious, their main avocations, besides the products of their mines, have been and now are in producing the cereals and other commodities in large quantities for foreign markets, while being themselves practically without any manufactories, they have always been and still are very large purchasers annually of all kind of manufactures and goods from the older States, whence our whole supply comes and for which we always pay the cash.

The original Oregon Territory is scarcely, if any, less valuable than the territory acquired from Mexico after a bloody war, costing but little less than \$20,000,000 besides the \$15,000,000 paid for it by treaty.

Wherefore your memorialist respectfully prays your honorable body, in the name of justice to the pioneers who settled and saved the Oregon Territory to our Government that the expenses of the volunteer forces of Oregon and Washington Territory in the great Indian war of 1855-6 be paid, as allowed by the able commission, consisting of Generals Rufus Ingalls and A. J. Smith and Hon. L. F. Grover; that such claims as were not audited by such commission be allowed on a similar basis and that pensions be provided for those wounded in such war.

Your memorialist further represents that the Cayuse war of 1847 was one in which honorable services were rendered by Oregon volunteers, for which the congress of the United States made prompt payment. Your memorialist respectfully prays that the survivors of such war may be pensioned in the same manner as the survivors of the Mexican war have been.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, February 2, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed senate bill No. 62, being a bill for an Act to repeal title 3 of chapter 29 of the miscellaneous laws of Oregon, etc.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Senate bill No. 62 read first time and passed without question to second reading.

Adjourned.

AFTERNOON SESSION.

House called to order at 1:30 P. M. by the Speaker in the chair.

The roll was called and all the members were present except Messrs. Crook, Goodsell, Holland, Harris, Haley, I. D. Miller, Noyer, Pomeroy, Pendleton, Roberts, Summers and Wilson.

The committee on railway and transportation reported as follows :

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, February 2, 1887. }

Mr. Speaker: Your committee on railways and transportation, to whom was referred house bill No. 36, beg leave to report that they have had the same under consideration, and would recommend an amendment of section 3 in line 3 by inserting after the word Act "on conviction;" and further, would respectfully report the bill back without recommendation.

D. MACKAY,
Chairman.

On motion of Mr. Bilyeu the report was adopted and the bill considered engrossed and passed to third reading in order.

Mr. Osborn moved to reconsider the vote by which the amendments were adopted to house bill No. 132, and the motion carried.

Mr. Osborn moved to strike out \$800 opposite Benton county and substitute \$600, and the house sustained the motion.

The other amendments were adopted.

Mr. Henry moved to call up house bill No. 94 from committee on education and refer to committee of the whole.

The motion carried, and the house went into committee of the whole with Mr. Henry in the chair.

After deliberation the committee arose and reported as follows :

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, February 2, 1887. }

Mr. Speaker: Your committee of the whole to whom was referred house bill No. 94 would recommend the bill do pass.

B. R. HENRY,
Chairman.

On motion of Mr. Little the report was adopted.

House bill No. 134 read second time.

On motion of Mr. Mitchell, was ordered considered engrossed and passed to third reading.

Mr. Munger presented petitions and moved to refer to Multnomah delegation.

Mr. Bilyeu moved to amend by referring to committee on Chinese labor.

The amendment was accepted and the motion as amended adopted.

House bill No. 135 read second time.

On motion of Mr. Taylor, was referred to committee on judiciary.

On motion of Mr. Noyer, Hon. W. S. White was invited to a seat within the bar.

House bill No. 136 read second time.

On motion of Mr. Noyer, referred to committee on public lands.

House bill No. 137 read second time.

Mr. Goodsell moved to suspend the rules and read third time and put on final passage.

On this question the roll was called and the vote was :

Those voting aye were:

Messrs. Bilyeu, Biggs, Blevins, Gubser, Goodsell, Gay, Hale, Henry, Hansard, Harris, Harrington, Johnson, Kruse, Lockett, Lafollett of Yamhill, Laughlin, Little, McLean, Munger, Mackay, Osborn, Pomeroy, Palmer, Roberts, Richardson, Swank, Wilson, Wilcox, Mr. Speaker—29.

Nays—Messrs. Blundell, Bowditch, Culver, Daly, Hicks, Holmes, Haley, Lafollett of Marion, Layman, Mayer, Miller of Jackson, Mitchell, McKenzie, McCully, Noyer, Pendleton, Stafford, Smith, Thompson, Taylor—20.

Absent—Messrs. Benjamin, Crook, Crockett, Davis, Gard, Holland, Maxwell, Miller of Linn, Paulsen, Summers, Vanderpool—11.

So the motion to suspend was lost and house bill No. 137 passed to third reading in order.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, February 3, 1887. }

Mr. Speaker: Your committee on engrossed bills, to whom was referred house bill No. 130, beg leave to report the same back to the house as correctly engrossed.

J. H. ROBERTS,
Chairman.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, February 13, 1887. }

Mr. Speaker: Your committee on engrossed bills, to whom was

referred house bill No. 132, beg leave to report the same back to the house as correctly engrossed.

J. H. ROBERTS,
Chairman.

House bill No. 140 read second time.

On motion of Mr. Noyer, referred to committee on roads and highways.

Mr. Mayer rose to a question of privilege and stated to the house that Mr. Wallace Baldwin had failed to respond to a subpoena of the committee on the fish ladder at Willamette falls, and submitted the matter to the house.

Mr. Osborn moved to send Mr. Baldwin another notice.

Mr. Lafollett of Yamhill moved to amend by ordering the Sergeant-at-Arms to arrest and bring Mr. Baldwin before the bar of this house, which amendment carried, and the motion as amended adopted.

House bill No. 138 read second time and on motion of Mr. Wilson was referred to committee on judiciary.

Mr. McCully moved to suspend the rules and read house bill No. 141 second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—57.

Nays—None.

Absent—Messrs. Holland, Hale, Miller of Jackson—3.

So the rules were suspended and house bill No. 141 was read second time by title only.

On motion of Mr. McCully, referred to committee on corporations.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 3, 1887. }

Mr. Speaker: I am directed by the President to inform you that senate bill No. 15 has been reported correctly enrolled.

And the same is herewith transmitted to you for your signature.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 3, 1887. }

Mr. Speaker: I am directed by the President to inform you that senate bill No. 117 has been reported correctly enrolled.

And the same is herewith transmitted to you for your signature.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 3, 1887. }

Mr. Speaker: I am directed by the President to inform you that senate bill No. 134 has been reported correctly enrolled.

And the same is herewith transmitted to you for your signature.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 3, 1887. }

Mr. Speaker: I am directed by the President to inform you that senate bill No. 158 has been reported correctly enrolled.

And the same is herewith transmitted to you for your signature.

E. G. HURSH,
Chief Clerk.

The Chair announced he was about to sign senate bills Nos. 15, 117, 134 and 158, and subsequently that he had signed them.

House bill No. 142 read second time.

On motion of Mr. Munger, referred to committee on federal relations.

House bill No. 143 read second time.

On motion of Mr. Munger, was referred to Multnomah delegation.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, February 3, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has concurred in house concurrent resolution No. 22, instructing the joint committee on public buildings to examine the public buildings of the State and to make a report upon the condition of the same.

And the same is herewith transmitted to you.

E. G. HURSH,
Chief Clerk.

House bill No. 144 read second time, and on motion of Mr. Bilyeu was referred to committee on judiciary.

Mr. Bilyeu moved to suspend the rules and read house bill No. 145 second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Gay, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—55.

Nays—None.

Absent—Messrs. Goodsell, Holland, Little, McCully, Stafford—5.

So the rules were suspended and house bill No. 145 was read second time by title only.

Mr. Paulsen moved the adoption of amendment, as follows:

AMENDMENT.

Mr. Paulsen moved that house bill No. 145 be amended by striking out in section 1, line 1, after the word section, the figure "2," and substitute therefor the figure "1."

And the amendment was adopted and the bill was ordered considered engrossed and passed to third reading.

House bill No. 146 was read second time.

On motion of Mr. Culver, referred to committee on claims.

House bill No. 147 was read second time.

On motion of Mr. Culver, referred to committee on education.

House bill No. 148 was read second time.

On motion of Mr. Benjamin, referred to committee on judiciary.

House bill No. 149 read second time.

Mr. Little offered the following amendment:

AMENDMENT TO HOUSE BILL NO. 149.

That house bill No. 149 be amended by striking out all of section 1, printed bill, after the word "invest" preceding the comma in line 4, and insert thereto the following words: Thence west sixteen miles to the center of township four (4) south, range nine (9) west, thence south to the boundary line between Yamhill and Polk counties.

Mr. Bilyeu moved the adoption of the amendment.

The motion prevailed, and the bill was ordered engrossed and passed to third reading.

House bill No. 150 was read second time.

Mr. Bilyeu moved to refer to committee on internal improvements.

Mr. Noyer moved to amend by referring to committee on education.

Mr. Blundell moved to amend by referring to committee on judiciary.

The question being put on Mr. Blundell's amendment, it was sustained.

The vote recurring on the motion to refer as amended by Mr. Blundell, it was declared carried, and house bill No. 150 was referred to the committee on judiciary.

House bill No. 151 read second time.

Mr. Bowditch moved to refer to committee on judiciary.

Mr. Paulsen moved to amend by referring to committee on agriculture.

The motion was lost.

So the question recurred on the motion to refer to committee on judiciary, and by vote of the house the bill was so referred.

Mr. Lafollett of Marion moved to suspend the rules and read house bill No. 152 second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blundell, Bowditch, Bilyeu, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Gay, Hale, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Max-

well, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—53.

Nays—Mr. Benjamin—1.

Absent—Messrs. Biggs, Crook, Goodsell, Holland, Henry, Mackay—6.

So the rules were suspended and house bill No. 152 was read second time by title only.

On motion of Mr. Lafollett, was referred to committee on roads and highways.

On motion of Mr. Paulsen, house bill No. 216 was referred to the committee on agriculture.

House bill No. 154 read second time.

On motion of Mr. Thompson, referred to committee on assessment and taxation.

House bill No. 155 read second time.

On motion of Mr. Vanderpool, was referred to committee on roads and highways.

House bill No. 156 read second time.

Mr. Summers moved to refer to clerks on judiciary committee.

Mr. Munger moved to amend by referring to committee on Chinese labor.

Carried.

The motion to refer as amended was adopted and house bill No. 156 was referred to committee on Chinese labor.

House bill No. 157 read second time.

Mr. McLean moved to refer to committee on judiciary.

Mr. Daly moved to amend by referring to committee on public lands.

Carried.

The motion to refer as amended was adopted and the bill was referred to committee on public lands.

House bill No. 158 read second time.

On motion of Mr. Hale, referred to committee on education.

House bill No. 159 read second time.

On motion of Mr. McCully, referred to committee on roads and highways.

House bill No. 161 read second time.

On motion of Mr. Swank, referred to committee on military affairs.

House bill No. 162 read second time.

On motion of Mr. Henry, referred to committee on commerce.

House bill No. 163 read second time.

On motion of Mr. Harrington, referred to committee on judiciary.

Mr. Mayer moved to suspend the rules and read house bill No. 164 second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Daly, Gard, Gubser, Goodsell, Gay, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, Munger, McKenzie, Mackay, Noyer, Osborn, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Taylor, Vanderpool, Wilcox, Mr. Speaker—50.

Nays—None.

Absent—Messrs. Benjamin, Davis, Holland, Lafollett of Marion, Lafollett of Yamhill, McLean, McCully, Pomeroy, Thompson, Wilson—10.

So the rules were suspended and house bill No. 164 was read second time by title only.

On motion of Mr. Mayer, was referred to committee on agriculture.

House bill No. 166 read second time.

Mr. Daly moved to amend by inserting before the words "any corporation," "the treasurer, cashier, paymaster, or financial agent of," in section 2.

The house adopted the amendment and the bill was ordered engrossed and passed to third reading.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, February 3, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed senate bill No. 109, being a bill for an Act to amend section 1 of an Act entitled "An Act for the protection of fish and game," and to repeal section 2 of said Act.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Senate bill No. 109 read first time and passed to second reading without a question.

House bill No. 167 read second time and considered engrossed and passed to third reading.

House bill No. 170 read second time and on motion of Mr. Daly referred to committee on judiciary.

Mr. Noyer moved that house bill No. 171 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Crockett, Daly, Gard, Gubser, Goodsell, Holland, Hale, Henry, Hansard, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilcox, Mr. Speaker—53.

Nays—None.

Absent—Messrs. Crook, Davis, Gay, Hicks, Mitchell, McLean, Wilson—7.

So the rules were suspended and house bill No. 171 was read second time by title only and on motion of Mr. Culver referred to mittee on education.

Mr. Daly moved to suspend the rules and read house bill No. 172 second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Culver, Daly, Gard, Gubser, Goodsell, Hale, Henry, Hansard, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilcox, Mr. Speaker—51.

Nays—None.

Absent—Messrs. Blevins, Crook, Crockett, Davis, Gay, Holland, Hicks, McLean, Wilson—9.

So the rules were suspended and house bill No. 172 was read first time by title only.

On motion of Mr. Daly, was referred to committee on agriculture.

House bill No. 174 read second time and passed to third reading in order.

Mr. Bilyeu moved that when the house adjourn it adjourn to 7:30 this evening to act upon corporation bills and county bills in cases where there is no contest, and the motion carried.

At request of Mr. Munger, the committee on labor was excused.

House bill No. 176 read second time.

On motion of Mr. Pomeroy, referred to committee on agriculture.
House bill No. 177 read second time and amended as follows:

FIRST AMENDMENT.

Opposite Benton county insert \$500, by Mr. Osborn.

SECOND AMENDMENT.

Opposite Josephine county insert \$500, by Mr. Mitchell.

THIRD AMENDMENT.

Opposite Grant county insert \$500, by Mr. Johnson.

FOURTH AMENDMENT.

Opposite Union county insert \$500, by Mr. Taylor.

FIFTH AMENDMENT.

Opposite Jackson county insert \$700, by Mr. R. A. Miller.

SIXTH AMENDMENT.

Opposite Douglas county insert \$600, by Mr. Benjamin.

SEVENTH AMENDMENT.

Opposite Marion county insert \$800, by Mr. A. M. Lafollett.

EIGHTH AMENDMENT.

Opposite Clackamas county insert \$600, by Mr. Mayer.

The house adopted the amendments and ordered the bill engrossed and passed to third reading.

House bill No. 178 read second time and referred to judiciary committee on motion of Mr. Gay.

Mr. Goodsell called to the chair.

House bill No. 179 read second time and referred on motion of Mr. Johnson to committee on claims.

House bill No. 180 read second time and referred to committee on claims on motion of Mr. Johnson.

House bill No. 181 read second time.

on motion of Mr. Davis, the bill was referred to committee on judiciary.

House bill No. 182 read second time.

On motion of Mr. Davis, referred to committee on roads and highways.

On motion of Mr. Mayer, house bill No. 234 was ordered returned from committee and printed.

Mr. Noyer moved to suspend the rules and read house bill No. 183 second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Hale, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox—50.

Nays—None.

Absent—Messrs. Gay, Holland, Henry, Hansard, Lockett, Munger, Pendleton, Paulsen, Roberts, Mr. Speaker—10.

So the rules were suspended and house bill No. 183 was read second time by title only.

On motion of Mr. Noyer, referred to committee on assessment and taxation.

On motion of Mr. Noyer, house bill No. 213 was ordered returned from committee and be printed.

Mr. Bilyeu moved to suspend the rules and read house bill No. 184 second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Davis, Daly, Gard, Gubser, Goodsell, Hale, Henry, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Richardson, Stafford, Summers, Smith, Thompson, Vanderpool, Wilson, Wilcox—47.

Nays—None.

Absent—Messrs. Crook, Crockett, Gay, Holland, Hansard, Lockett, Munger, Pendleton, Paulsen, Roberts, Swank, Taylor, Mr. Speaker—13.

So the rules were suspended and house bill No. 184 was read second time by title only and on motion of Mr. Biggs was referred to joint committee on fishing interests.

House bill No. 185 read second time and on motion of Mr. Taylor referred to committee on agriculture.

House bill No. 186 read second time and ordered considered engrossed and passed to third reading.

Mr. Hale moved to adjourn and the motion was lost.

Mr. McLean moved to suspend the rules and read house bill No. 187 by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Davis, Daly, Gard, Gubser, Goodsell, Hale, Henry, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Roberts, Richardson, Stafford, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox—45.

Nays—None.

Absent—Messrs. Biggs, Blevins, Crook, Culver, Crockett, Gay, Holland, Hansard, Lockett, Mayer, Munger, Pendleton, Paulsen, Swank, Mr. Speaker—15.

So the rules were suspended and house bill No. 187 was read second time by title only.

Speaker took the chair.

Mr. McLean moved that house bill No. 187 be referred to committee on public lands.

Carried.

Mr. Pomeroy moved to adjourn.

Carried.

EVENING SESSION.

House called to order at 7:30 P. M., the Speaker in the chair.

The roll was called, and those absent were Messrs. Benjamin, Daly, Gard, Hicks, Harris, Lafollett of Yamhill, Maxwell, Miller of Jackson, McLean, Munger, McCully, Noyer.

McLean was absent on leave.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 3, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed house bill No. 27.

And the same is herewith transmitted to you for enrollment.

E. G. HURSH,
Chief Clerk.

Messrs. McLean, Crockett, Daly and Hicks excused for the evening.

Mr. Taylor excused for one-half hour.

The Speaker read a communication from Mr. Wallace Baldwin.

Mr. Goodsell moved to revoke the order of apprehension passed this afternoon in case of Mr. Baldwin.

Carried.

Mr. Mayer moved that Mr. Baldwin be cited to appear by 4 P. M. next Monday.

Carried.

The committee on corporations reported as follows:

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 8, 1887. }

Mr. Speaker: Your committee on corporations, to whom was referred house bill No. 247, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

R. R. LAUGHLIN,
Chairman.

And house bill No. 247 was ordered considered engrossed and passed to third reading.

Messrs. Johnson and Richardson excused.

House bill No. 51 read third time.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blundell, Bowditch, Bilyeu, Blevins, Crook, Culver, Davis, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Little, Maxwell, Miller of Linn, McKenzie, Osborn, Palmer, Pendleton, Paulsen, Roberts, Stafford,

Swank, Summers, Smith, Thompson, Vanderpool, Wilcox, Mr. Speaker—41.

Nays—None.

Absent—Messrs. Benjamin, Biggs, Crockett, Daly, Hicks, Johnson, Lafollett of Yamhill, Mayer, Miller of Jackson, Mitchell, McLean, Munger, Mackay, McCully, Noyer, Pomeroy, Richardson, Taylor, Wilson—19.

So the bill passed, and the title of the bill stood as the title of the Act.

Mr. Crook excused.

Mr. Henry gives notice as follows:

NOTICE.

On to-morrow or some future time I wish to introduce a bill for the relief of school district No. 47, Linn county.

February 3, 1887.

B. R. HENRY.

House bill No. 32 read third time.

A contest appearing, it was decided not in order.

House bill No. 169 read third time.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bilyeu, Biggs, Blevins, Culver, Davis, Gard, Gubser, Gay, Holland, Hale, Henry, Hansard, Harris, Harrington, Holmes, Haley, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Little, Maxwell, Miller of Jackson, Miller of Linn, McKenzie, Mackay, Osborn, Palmer, Pendleton, Roberts, Stafford, Swank, Summers, Smith, Thompson, Vanderpool, Wilson, Wilcox, Mr. Speaker—40.

Nays—None.

Absent—Messrs. Benjamin, Blundell, Bowditch, Crook, Crockett, Daly, Goodsell, Hicks, Johnson, Lafollett of Yamhill, Mayer, Mitchell, McLean, Munger, McCully, Noyer, Pomeroy, Paulsen, Richardson, Taylor—20.

So house bill No. 169 passed and the title of the bill stood as the title of the Act.

Mr. Summers moved to take house bill No. 153 out of course.

Objection being made the motion was withdrawn.

House bill No. 203 read third time.

"Shall the bill pass?"

Mr. Laughlin demanded a call of the house to ascertain if there be a quorum.

Roll called on the call of the house and those absent were Messrs. Benjamin, Bilyeu, Crook, Daly, Goodsell, Hicks, Johnson, Lafollett

of Yamhill, Mayer, Mitchell, McLean, Munger, Noyer, Osborn, Pomeroy, Paulsen, Richardson, Summers, Taylor—18.

A quorum being present, the Chair ordered the roll called on the passage of house bill No. 203.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blundell, Bowditch, Biggs, Blevins, Culver, Davis, Gard, Gubser, Gay, Holland, Hale, Henry, Hansard, Harris, Harrington, Holmes, Haley, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Little, Maxwell, Miller of Jackson, Miller of Linn, McLean, McKenzie, Mackay, McCully, Noyer, Osborn, Palmer, Pendleton, Paulsen, Roberts, Stafford, Swank, Summers, Smith, Thompson, Vanderpool, Wilson, Wilcox, Mr. Speaker—45.

Nays—None.

Absent—Messrs. Benjamin, Bilyeu, Crook, Crockett, Daly, Goodsell, Hicks, Johnson, Lafollett of Yamhill, Mayer, Mitchell, Munger, Pomeroy, Richardson, Taylor—15.

So house bill No. 203 passed, and the title of the bill stood for the title of the Act.

House bill No. 113 read third time.

“Shall the bill pass?”

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Davis, Gard, Gubser, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Little, Maxwell, Miller of Jackson, Miller of Linn, McLean, McKenzie, Mackay, McCully, Osborn, Palmer, Pendleton, Paulsen, Roberts, Stafford, Swank, Summers, Smith, Thompson, Vanderpool, Wilson, Wilcox, Mr. Speaker—46.

Nays—None.

Absent—Messrs. Benjamin, Crook, Crockett, Daly, Goodsell, Johnson, Lafollett of Yamhill, Mayer, Mitchell, Munger, Noyer, Pomeroy, Richardson, Taylor—14.

So house bill No. 113 was passed, and the title of the bill stood as the title of the Act.

Mr. Thompson moved to table house bill No. 168, and the motion was sustained.

House bill No. 247 read third time.

“Shall the bill pass?”

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Davis, Gard, Gubser, Gay, Hale, Henry, Hansard, Hicks,

Harris, Harrington, Holmes, Haley, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Little, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, McKenzie, Osborn, Palmer, Pendleton, Paulsen, Roberts, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—46.

Nays—None.

Absent—Messrs. Crook, Crockett, Daly, Goodsell, Holland, Johnson, Lafollett of Yamhill, Mayer, Munger, Mackay, McCully, Noyer, Pomeroy, Richardson—14.

So the bill passed and the title of the bill stood as the title of the Act.

House bill No. 186 read third time.

“Shall the bill pass?”

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Davis, Gard, Gubser, Gay, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Little, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, McKenzie, Osborn, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—48.

Nays—None.

Absent—Messrs. Crook, Crockett, Daly, Goodsell, Holland, Lafollett of Yamhill, Mayer, Munger, Mackay, McCully, Noyer, Pomeroy—12.

So house bill No. 186 passed and the title of the bill stood for the title of the Act.

Mr. Bilyeu moved to suspend the rules and read house bill No. 199 second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Davis, Gard, Gubser, Goodsell, Gay, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, McKenzie, Mackay, Osborn, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—51.

Nays—None.

Absent—Messrs. Crook, Crockett, Daly, Holland, Lafollett of Yamhill, Munger, McCully, Noyer, Pomeroy—9.

So the rules were suspended and house bill No. 199 was read second time by title.

Mr. Bilyeu moved the following amendments:

FIRST AMENDMENT.

Amend section 9 of house bill No. 199 as follows: Add to the latter part of said section 9 the following: And be it *further provided*, that the recorder, marshal and treasurer of said city shall each hold his office for the term of one year and until his successor is elected and qualified.

SECOND AMENDMENT.

Amend section 10 as follows: After the word "one" in the tenth line of said section 10 insert the following, to-wit: "half of one."

THIRD AMENDMENT.

Amend section 38 by striking out the following words, viz.: After the word "the" in the first line of said section 38 strike out the words "city shall," and in lieu thereof insert the following words "Common council of said city in its discretion may."

The amendments were adopted and the bill considered engrossed and passed to third reading.

Mr. Mitchell moved to re-refer house bill No. 63 to committee on corporations with leave to report at any time.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Davis, Gard, Gubser, Goodsell, Gay, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Munger, McKenzie, Mackay, McCully, Osborn, Palmer, Pendleton, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—50.

Nays—None.

Absent—Messrs. Crook, Crockett, Daly, Holland, Johnson, Lafollett of Yamhill, Mitchell, McLean, Noyer, Pomeroy, Paulsen—10.

So the bill was referred.

On motion of Mr. Lockett, the house adjourned.

FRIDAY, FEBRUARY 4, 1887.

MORNING SESSION.

HOUSE OF REPRESENTATIVES,
SALEM, February 4, 1887. }

House called to order at 9:30 A. M., the Speaker in the chair.

Prayer was offered by Rev. J. T. Chambers of Salem.

The roll was called and those absent were Messrs. Crook, Miller of Jackson, Noyer, Summers and Thompson.

Mr. Crook absent on leave.

Mr. Crook excused on account of indisposition.

On motion of Mr. Daly, the reading of the journal was dispensed with.

Mr. Smith moved house bill No. 229 be returned from committee. Carried.

Mr. Bilyeu moved to suspend the rules and read house bill No. 189 second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Hansard, Hicks, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Little, Mayer, Maxwell, Miller of Linn, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Richardson, Stafford, Swank, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—51.

Nays—None.

Absent—Messrs. Crook, Henry, Harris, Laughlin, Miller of Jackson, Mitchell, Paulsen, Roberts, Summers—9.

So the rules were suspended and house bill No. 189 was read the second time by title only.

On motion of Mr. McLean, was referred to committee on judiciary.

Mr. Haley moved to reconsider the vote by which house joint resolution No. 9 was adopted.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Holmes, Haley, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Lit-

tle, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, McKenzie, McCully, Noyer, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—50.

Nays—Messrs. Goodsell, Harrington, Munger, Mackay, Osborn, Smith, Thompson—7.

Absent—Messrs. Crook, Johnson, Summers—3.

So the vote was reconsidered.

On motion of Mr. Daly, house joint resolution No. 9 was indefinitely postponed.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, February 3, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed house bill No. 52.

And the same is herewith transmitted to you for enrollment.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, February 3, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed house bill No. 128.

And the same is herewith transmitted to you for enrollment.

E. G. HURSH,
Chief Clerk.

Mr. Gubser called up senate concurrent resolution No. 10, and moved the concurrence of the house and the motion was sustained.

Committee on enrolled bills submitted the following

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, February 4, 1887. }

Mr. Speaker: Your committee on enrolled bills, to whom was referred house bill No. 19, herewith return the same correctly enrolled.

JOHN WILSON,
Chairman.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, February 4, 1887. }

Mr. Speaker: Your committee on enrolled bills, to whom was referred house bill No. 22, herewith return the same correctly enrolled.

JOHN WILSON,
Chairman.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, February 4, 1887. }

Mr. Speaker: Your committee on enrolled bills, to whom was referred house bill No. 27, herewith return the same correctly enrolled.

JOHN WILSON,
Chairman.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, February 4, 1887. }

Mr. Speaker: Your committee on enrolled bills, to whom was referred house bill No. 33, herewith return the same correctly enrolled.

JOHN WILSON,
Chairman.

House bill No. 190 read second time.

On motion of Mr. Benjamin, referred to committee on internal improvements.

The Chair announced that he was about to sign house bills Nos. 19, 22, 27 and 33, and subsequently that he had signed them.

The bills were transmitted to the senate.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, February 4, 1887. }

Mr. Speaker: Your committee on engrossed bills, to whom was referred house bill No. 109, beg leave to report the same back to the house as correctly engrossed.

J. H. ROBERTS,
Chairman.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, February 4, 1887. }

Mr. Speaker: Your committee on engrossed bills, to whom was referred house bill No. 166, beg leave to report the same back to the house as correctly engrossed.

J. H. ROBERTS,
Chairman.

Mr. Gubser moved to suspend the rules and read house bill No. 191 second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blundell, Bowditch, Bilyeu, Blevins, Culver, Crockett, Davis, Gard, Gubser, Hale, Henry, Hansard, Hicks, Harrington, Holmes, Haley, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, McLean, McKenzie, Mackay, McCully, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—48.

Nays—Messrs. Benjamin, Harris—2.

Absent—Messrs. Biggs, Crook, Daly, Goodsell, Gay, Holland, Johnson, Mitchell, Munger, Noyer—10.

So the rules were suspended and house bill No. 191 read second time by title only.

On motion of Mr. Taylor, was referred to committee on counties.

Mr. Noyer, chairman on committee on clerk hire, reported as follows:

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, February 4, 1887. }

Mr. Speaker: Your special committee to whom was referred the matter of arranging the salaries of the clerks of the various standing committees of the house beg leave to report that we have agreed upon the following as the amounts to be paid, to-wit: The clerks of the engrossing, enrolling and judiciary committees four dollars per day for the chief or principal clerks, and three dollars and fifty cents per day for assistant clerks.

The principal clerks of all other committees three dollars and fifty cents per day each, and their assistant clerks two dollars and fifty cents per day each, and that the chairmen of the committees

be authorized to certify to the Secretary of State the per diem of their clerks, and that the Secretary of State be and is authorized to draw a warrant therefor on such certificate.

P. S. NOYER,
Chairman.

Mr. Bilyeu moved the report be amended so that the clerks of judiciary, engrossing and enrolling committees shall receive five dollars (\$5.00) per day.

The house adopted the amendment.

Mr. McLean moved to amend by allowing clerks on public lands committee five dollars (\$5.00) per day.

The house adopted the amendment.

Mr. Thompson moved to further amend by allowing three dollars (\$3.00) per diem to all other committee clerks.

The house adopted the amendment, and as amended adopted the report.

Mr. Paulsen introduced house resolution No. 51.

HOUSE RESOLUTION NO. 51.

WHEREAS, Claims for a large amount against the State by John Mullan are now on file in the office of the Secretary of State; and,

WHEREAS, There is not now, if there ever was, a necessity to employ said Mullan as agent for the State; therefore, be it

Resolved, That the Secretary of State is hereby requested to furnish the house with information stating the amount of such claims, the character of the service or services for which compensation is demanded and by whom and under whose authority said Mullan acted.

On motion of Mr. Paulsen, the resolution was adopted.

Committee under house resolution No. 35 reported as follows:

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, January 25, 1887. }

Mr. Speaker: Your special committee appointed under house resolution No. 35 beg leave to report that they have examined into the matter of the condition of senate joint resolution No. 3, printed upon pages 128 and 129 of the session laws of the special session of November, 1885, and find as follows:

That the journals of the said special session show that said senate joint resolution No. 3 passed both the senate and the house; that it

was received by the Secretary of State at the close of the session in the condition in which it appears in the volume containing the laws of the said special session; that having so passed the house and senate, the Secretary of State deemed it his duty, as important interests were involved, to publish said joint resolution in the appendix to the special session laws, and did so; that by reason of said joint resolution not being properly authenticated by the signatures of the President of the senate or the Speaker of the house, the Secretary of State declined to recognize its authority and refused to audit Captain Mullan's accounts thereunder; that the accounts of Captain Mullan are on file in the office of the Secretary of State and not audited for want of sufficient authority.

We further find that no sum of money has been paid from the State treasury to Captain John Mullan, or warrants drawn in his favor, for any sum whatever under or by authority of said joint resolution No. 3.

S. R. HARRINGTON,
THOMAS PAULSEN,
L. BILYEU.

On motion of Mr. Daly, the report was adopted.

House bill No. 192 read second time.

On motion of Mr. R. A. Miller, referred to committee on education.

House bill No. 193 read second time and ordered to third reading.

Mr. Noyer moved to suspend the rules and read house bill No. 194 second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—55.

Nays—None.

Absent—Messrs. Crook, Harrington, McLean, Munger, Roberts—5.

So the rules were suspended and house bill No. 194 was read second time by title only.

Mr. Goodsell moved to refer to committee on Indian affairs.

Mr. Little moved to amend by referring to committee on commerce.

Lost.

So the vote recurred on the original motion to refer to the committee on Indian affairs and carried.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, February 4, 1887. }

Mr. Speaker: I am directed by the President to inform you that he has signed house bill No. 19.

And the same is herewith transmitted.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, February 4, 1887. }

Mr. Speaker: I am directed by the President to inform you he has signed house bill No. 22.

And the same is herewith transmitted.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, February 4, 1887. }

Mr. Speaker: I am directed by the President to inform you that he has signed house bill No. 27.

And the same is herewith transmitted.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, February 4, 1887. }

Mr. Speaker: I am directed by the President to inform you that he has signed house bill No. 33.

And the same is herewith transmitted.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 4, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed senate bill No. 163, being a bill for an Act to incorporate the town of McMinnville, Yamhill county, Oregon.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Mr. Daly moved to suspend the rules and read senate bill No. 163 first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—57.

Nays—None.

Absent—Messrs. Crook, Lafollett of Yamhill, Little—3.

So senate bill No. 163 was read first time and passed to second reading without question.

MESSAGE FROM THE GOVERNOR.

STATE OF OREGON,
EXECUTIVE DEPARTMENT, }

SALEM, February 4, 1887.

To the Honorable the Speaker of the House:

I am directed by the Governor to inform you that he has signed the following bills:

SENATE BILL NO. 117.

"An Act to amend section 56 of an Act entitled 'An Act to incorporate the city of Astoria, in Clatsop county, Oregon,' approved October 20, 1876, and to amend sections 2 and 3 of said Act as

amended by an Act entitled 'An Act to amend section 1, chapter 1, section 8, chapter 2, section 16, chapter 3 of an Act to incorporate the city of Astoria, in Clatsop county, Oregon,' approved October 20, 1876, approved November 9, 1885."

SENATE BILL NO. 134.

"An Act to amend an Act entitled 'An Act to incorporate the town of Hillsboro, in Washington county, Oregon,' approved October 19, 1876."

SENATE BILL NO. 158.

"An Act to authorize the construction of a dyke across Duncan slough in section 21, township 18 S., range 11 W. of the Willamette meridian, in Lane county, State of Oregon."

And the same have been this day filed in the office of the Secretary of State.

WM. A. MUNLY,
Private Secretary.

Mr. Noyer moved to suspend the rules and read house bill No. 195 second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Biggs, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Yamhill, Layman, Laughlin, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—55.

Nays—None.

Absent—Messrs. Bilyeu, Crook, Harrington, Lafollett of Marion, Little—5.

So the rules were suspended and house bill No. 195 read second time by title only.

On motion of Mr. Mackay, was referred to special committee on insurance.

Mr. Noyer moved to suspend the rules and read house bill No. 196 second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Crockett, Davis, Gard, Gubser, Goodsell, Gay, Holland, Hale,

Henry, Hicks, Harris, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—53.

Nays—None.

Absent—Messrs. Crook, Daly, Hansard, Harrington, Lafollett of Yamhill, McKenzie, Smith—7.

So the rules were suspended and house bill No. 196 was read second time by title only.

On motion of Mr. Bilyeu, was referred to joint committee on insurance.

Mr. Wilcox moved to recommit house bill No. 14 to committee on judiciary with leave to report at any time.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bilyeu, Biggs, Blevins, Culver, Crockett, Davis, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hicks, Harris, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Little, Mayer, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—53.

Nays—None.

Absent—Messrs. Bowditch, Crook, Daly, Hansard, Harrington, Lafollett of Yamhill, Maxwell—7.

So the bill was referred to the committee on judiciary with leave to report at any time.

Mr. Benjamin moved to recall house bill No. 132 for correction.

Adopted.

Mr. Paulsen moved to suspend the rules and read house bill No. 197 second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Biggs, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Richardson, Stafford, Swank, Summers, Smith, Thompson, Vanderpool, Wilson, Wilcox, Mr. Speaker—53.

Nays—None.

Absent—Messrs. Bilyeu, Crook, Lafollett of Yamhill, Little, Mayer, Roberts, Taylor—7.

So the rules were suspended and house bill No. 197 was read second time by title only.

On motion of Mr. Paulsen, was referred to the committee on printing.

House bill No. 198 read second time.

Mr. Laughlin moved to refer to committee on railways and transportation with leave to report at any time.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—57.

Nays—None.

Absent—Messrs. Crook, Culver, Lafollett of Yamhill—3.

So house bill No. 188 was so referred.

Mr. R. A. Miller moved to suspend the rules and read house bill No. 200 second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Mayer, Maxwell, Miller of Jackson, Mitchell, McLean, McKenzie, Mackay, McCully, Noyer, Osburn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—53.

Nays—Mr. Benjamin—1.

Absent—Messrs. Crook, Culver, Lafollett of Yamhill, Little, Miller of Linn, Munger, Stafford—6.

So the rules were suspended and house bill No. 200 was read second time by title only.

On motion of Mr. R. A. Miller, referred to committee on judiciary.

House bill No. 201 read second time.

On motion of Mr. R. A. Miller, referred to committee on judiciary.

House bill No. 205 read second time.

On motion of Mr. Harrington, referred to Multnomah delegation.

House bill No. 206 read second time.

On motion of Mr. Mayer, referred to committee on roads and highways.

House bill No. 207 read second time.

Mr. Lockett moved to refer to committee on judiciary.

Mr. Pendleton offered amendment by saying to Indian affairs.

The amendment was adopted.

The motion as amended was adopted and house bill No. 207 referred to committee on Indian affairs.

House bill No. 208 read second time.

Mr. Munger moved to refer to committee on judiciary.

Mr. Paulsen moved to amend by referring to committee on counties.

The amendment was lost.

So the vote recurred on the motion to refer to judiciary committee and was adopted.

House bill No. 209 read second time.

On motion of Mr. Pendleton, referred to committee on roads and highways.

House bill No. 211 read second time.

Considered engrossed and passed to third reading.

House bill No. 214 read second time.

Mr. Noyer offered amendment to house bill No. 214, as follows:

AMENDMENT.

Strike out of section 1 of said bill and insert in lieu thereof the following:

Section 1. That upon the death of any man who may die seized of an estate of inheritance in land in this State, his widow shall be entitled to an estate of one-third in fee therein and in all the lands of which he was seized at any time during marriage, and in which she has not joined in a deed of conveyance or mortgage with her husband, and the rents and profits thereof from date of her husband's death shall not be withheld. Dower is hereby abolished.

Mr. Daly moved to refer the bill and amendment to the Clackamas county delegation with permission to report at any time.

Mr. Noyer moved to amend and refer to judiciary committee.

The motion to amend reference was lost.

So the vote recurred on the original motion to refer.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Gay, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—54.

Nays—Mr. Palmer—1.

Absent—Messrs. Benjamin, Crook, Goodsell, Holland, Hale—5.

So the motion to refer with leave was carried and the bill and amendment were so referred.

House bill No. 215 read second time.

On motion of Mr. Little, referred to a special committee of three with leave to report at any time.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Biggs, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Gay, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—55.

Nays—None.

Absent—Messrs. Bilyeu, Crook, Goodsell, Holland, Munger—5.

So the motion prevailed.

House bill No. 219 read second time.

On motion of Mr. Layman, referred to committee on education.

House bill No. 220 read second time.

On motion of Mr. Layman, referred to committee on education.

Mr. C. Lafollett moved to suspend the rules and read house bill No. 221 by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Biggs, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Hale, Henry, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell,

McLean, Munger, McKenzie, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—55.

Nays—None.

Absent—Messrs. Bilyeu, Crook, Holland, Hansard, Mackay—5.

So the rules were suspended and house bill No. 221 was read second time by title only.

On motion of Mr. C. Lafollett, was referred to committee on judiciary.

House bill No. 223 read second time, ordered considered engrossed and passed to third reading.

House bill No. 224 read second time.

Mr. Benjamin moved to refer to committee on internal improvements with leave to report at any time.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Hale, Henry, Hansard, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, McKenzie, Mackay, McCully, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Wilson, Wilcox, Mr. Speaker—53.

Nays—None.

Absent—Messrs. Blevins, Crook, Holland, Hicks, Munger, Noyer, Vanderpool—7.

So the rules were suspended and house bill No. 224 was referred to committee on internal improvements with leave to report at any time.

At request of Mr. Culver, house bill No. 225 was passed over till afternoon without prejudice.

House bill No. 226 read second time.

Mr. Maxwell moved to refer to committee on roads and highways.

Mr. Harrington moved to amend by saying "judiciary committee."

The amendment was accepted and the house ordered the bill referred to committee on judiciary.

Mr. McLean moved house bill No. 168 and petitions be returned to the member from Klamath and Lake.

Carried.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 4, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has adopted senate joint memorial No. 8, asking congress to pension volunteers in Indian wars.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

On motion of Mr. Haley, the house concurred in senate joint memorial No. 8.

Mr. Munger excused till Monday at 2 P. M. on account of sickness.

House bill No. 227 read second time.

On motion of Mr. Harris, referred to Multnomah delegation.

House bill No. 230 read second time.

On motion of Mr. Wilcox, referred with petitions to committee on counties—Mr. Gay sent up remonstrance to accompany the bill.

House bill No. 231 read second time.

On motion of Mr. Roberts, referred to committee on claims.

On motion of Mr. Noyer, the house adjourned.

AFTERNOON SESSION.

House called to order at 1:30 P. M. the Speaker in the chair.

The roll was called and those absent were Messrs. Crook, Goodsell, Holland, Mitchell, Munger, Pomeroy and Roberts.

The Chair appointed committee on house bill No. 215 Messrs. Little, Harrington and Blevins.

Mr. Gubser moved a committee of two be appointed to examine the journal.

Carried.

Messrs. Gubser and Blundell were appointed.

House bill No. 225 read second time.

Mr. Culver moved to refer to committee on judiciary, with leave to report at any time.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Crockett, Daly, Gard, Gubser, Gay, Henry, Hansard, Hicks, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Layman, Laughlin, Little, Maxwell, Miller of Jackson, Miller of Linn, McLean, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—48.

Nays—None.

Absent—Messrs. Crook, Davis, Goodsell, Holland, Hale, Harris, Lafollett of Marion, Lafollett of Yamhill, Mayer, Mitchell, Munger, Roberts—12.

So the rules were suspended and house bill No. 225 was referred to judiciary committee with leave to report at any time.

House bill No. 232 read second time.

On motion of Mr. McLean, referred to committee on judiciary.

House bill No. 238 read second time.

Mr. Maxwell moved the following

AMENDMENT.

In line 2, section 1, the words eight thousand dollars shall be amended to read five thousand dollars.

And the motion prevailed.

By previous notice, Mr. Henry was allowed to introduce house bill No. 248, for relief of school district No. 47 in Linn county.

The bill was read first time.

Mr. Henry moved to suspend the rules and read second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crockett, Davis, Daly, Gubser, Goodsell, Gay, Hale, Henry, Hansard, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Laughlin, Little, Miller of Jackson, Miller of Linn, Mitchell, McLean, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—50.

Nays—Messrs. Hicks, Layman—2.

Absent—Messrs. Crook, Culver, Gard, Holland, Mayer, Maxwell, Munger, Roberts—8.

So the rules were suspended and house bill No. 248 was read second time by title only.

Mr. Henry moved to refer to committee on education with leave to report at any time.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Crockett, Davis, Daly, Gubser, Goodsell, Gay, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—54.

Nays—None.

Absent—Messrs. Crook, Gard, Holland, McLean, Munger, Roberts—6.

So house bill No. 248 was referred to committee on education with leave to report at any time.

SECOND READING OF BILLS.

Senate bill No. 103 read second time and passed to third reading.

Mr. Noyer moved to suspend the rules and read senate bill No. 125 second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Mayer, Miller of Jackson, Miller of Linn, Mitchell, McLean, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—54.

Nays—None.

Absent—Messrs. Crook, Holland, Little, Maxwell, Munger, Roberts—6.

So the rules were suspended and senate bill No. 125 was read second time by title only.

Mr. Noyer moved that senate bill No. 125 be printed.

Carried.

The bill was ordered printed and to third reading in order.

Senate bill No. 135 read second time and passed to third reading in order.

Senate bill No. 40 read second time and passed to third reading in order.

Mr. Noyer moved to suspend the rules and read senate bill No. 90 second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Biggs, Crockett, Davis, Daly, Gard, Goodsell, Gay, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Miller of Jackson, Miller of Linn, Mitchell, McLean, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Richardson, Stafford, Swank, Summers, Smith, Thompson, Vanderpool, Wilson, Wilcox, Mr. Speaker—50.

Nays—None.

Absent—Messrs. Bilyeu, Blevins, Crook, Culver, Gubser, Holland, Maxwell, Munger, Roberts, Taylor—10.

So the rules were suspended and senate bill No. 90 was read the second time by title only and passed to third reading.

Mr. Gay moved to suspend the rules and read senate bill No. 112 second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bilyeu, Biggs, Blevins, Culver, Davis, Daly, Gard, Gubser, Goodsell, Gay, Hale, Henry, Hansard, Hicks, Harris, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—51.

Nays—None.

Absent—Messrs. Bowditch, Crook, Crockett, Holland, Harrington, Lafollett of Marion, Munger, Paulsen, Roberts—9.

So the rules were suspended and the bill was read second time by title only and passed to third reading.

Senate bill No. 150 read second time and passed to third reading.

Senate bill No. 155 read second time and passed to third reading.

Mr. Biggs moved to suspend the rules and read senate bill No. 149 second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—55.

Nays—None.

Absent—Messrs. Crook, Holland, Hale, Munger, Paulsen—5.

So the rules were suspended and senate bill No. 149 was read second time by title only and passed to third reading.

By unanimous consent, the committee on judiciary submitted the following

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 4, 1887. }

Mr. Speaker: Your committee on judiciary, to whom was referred house bill No. 14, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendment, to-wit:

AMENDMENT.

Strike out the words "second Monday in June" beginning on the first line of the second page and ending with the first word of the second line of said page, and insert in lieu thereof the words "fourth Monday in May."

S. R. HARRINGTON,
Chairman.

On motion of Mr. Harrington, the amendment was adopted.

House bill No. 14 sent to engrossing committee.

Senate bill No. 95 read second time and passed to third reading in order.

Committee on engrossed bills reported.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 4, 1887. }

Mr. Speaker: Your committee on engrossed bills, to whom was referred house bill No. 177, beg leave to report the same back to the house as correctly engrossed.

J. H. ROBERTS,
Chairman.

House bill No. 177 was passed to its place on third reading.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 4, 1887. }

Mr. Speaker: Your committee on engrossed bills, to whom was referred house bill No. 132, beg leave to report the same back to the house as correctly engrossed.

J. H. ROBERTS,
Chairman.

House bill No. 132 was passed to its place on third reading.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 4, 1887. }

Mr. Speaker: Your committee on engrossed bills, to whom was referred house bill No. 149, beg leave to report the same back to the house as correctly engrossed.

J. H. ROBERTS,
Chairman.

House bill No. 149 was passed to its place on third reading.

Mr. Culver moved to suspend the rules and read senate bill No. 26 second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, McKenzie, Mackay, McCully, Noyer, Osborn,

Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—55.

Nays—None.

Absent—Messrs. Crook, Holland, Hale, Munger, Pomeroy—5.

So the rules were suspended and senate bill No. 26 was read second time by title only.

Mr. Daly moved to refer to committee on judiciary.

Mr. Culver moved to amend by referring to Marion county delegation.

The amendment carried.

The motion to refer as amended was adopted, and senate bill No. 26 was referred to Marion county delegation.

Mr. Bilyeu moved to suspend the rules and read senate bill No. 13 second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Crockett, Daly, Gard, Gubser, Goodsell, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Maxwell, Miller of Linn, McLean, McKenzie, Mackay, McCully, Noyer, Osborn, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—51.

Nays—None.

Absent—Messrs. Crook, Davis, Gay, Holland, Mayer, Miller of Jackson, Mitchell, Munger, Pomeroy—9.

So senate bill No. 13 was read second time by title only and passed to third reading in order.

Senate bill No. 27 read second time and passed to third reading.

Senate bill No. 39 read second time and passed to third reading.

Mr. Noyer moved to suspend the rules and read senate bill No. 35 second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts,

Richardson, Stafford, Swank, Summers, Smith, Thompson, Vanderpool, Wilson, Wilcox, Mr. Speaker—56.

Nays—None.

Absent—Messrs. Crook, Holland, Munger, Taylor—4.

So the rules were suspended and senate bill No. 35 was read second time by title only and passed to third reading.

Senate bill No. 41 was read second time and passed to third reading in order.

Senate bill No. 50 was read second time and passed to third reading in order.

Senate bill No. 52 was read second time and passed to third reading in order.

Senate bill No. 58 was read second time and passed to third reading in order.

Senate bill 63 read second time.

On motion of Mr. Harrington, was referred to committee on judiciary.

Senate bill No. 92 read second time.

On motion of Mr. Hale, referred to committee on judiciary.

Mr. Bilyeu moved to suspend the rules and read senate bill No. 89 second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Crockett, Davis, Gard, Gubser, Goodsell, Gay, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollet of Yamhill, Layman, Laughlin, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, McKenzie, Mackay, McCully, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—53.

Nays—None.

Absent—Messrs. Crook, Daly, Holland, Haley, Little, Munger, Noyer—7.

So the rules were suspended and senate bill No. 89 was read second time by title only.

Mr. Lockett moved to refer to committee on ways and means.

Mr. Taylor moved to amend by suspending the rules and read the bill third time now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay,

Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—58.

Nays—None.

Absent—Messrs. Holland, Munger—2.

So the amendment was adopted, the rules declared suspended and senate bill No. 89 was read third time.

“Shall the bill pass?”

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blundell, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gay, Gubser, Goodsell, Hale, Henry, Hansard, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—55.

Nays—None.

Absent—Messrs. Benjamin, Bowditch, Holland, Hicks, Munger—5.

So senate bill No. 89 was passed.

MESSAGE FROM THE GOVERNOR.

STATE OF OREGON,
EXECUTIVE DEPARTMENT,
SALEM, February 4, 1887. }

To the Honorable the Speaker of the House:

I am directed by the Governor to inform you that he has signed the following bills:

HOUSE BILL NO. 33.

“An Act to amend sections 9 and 10 of an Act entitled ‘An Act to create the county of Klamath and fix the salaries of county judge and treasurer,’ approved October 17, 1882.”

HOUSE BILL NO. 19.

"An Act to incorporate the town of Myrtle Point in Coos county Oregon."

HOUSE BILL NO 22.

"An Act to incorporate the city of Albina in Multnomah county, Oregon."

HOUSE BILL NO. 27.

"An Act to fix the salary of the assessor of Multnomah county, Oregon."

And the same have been this day filed in the office of the Secretary of State.

WM. A. MUNLY,
Private Secretary.

Senate bill No. 107 read second time and passed to third reading.

Senate bill No. 62 read second time and passed to third reading.

Senate bill No. 109 read second time and passed to third reading.

Mr. Davis moved that house bill No. 130 be recalled from committee and be referred to the judiciary committee.

Carried.

By unanimous consent, the joint committee on canal and locks at Willamette falls submitted the following

REPORT.

To the Speaker of the House and the President of the Senate:

Your joint committee, consisting of the senate and house standing committee on commerce, to whom was referred certain questions concerning the locks and water power at Oregon City, under house concurrent resolution No. 20, beg leave to submit the following report:

That we have visited said locks in person and examined the construction, strength and durability of the same, together with their auxiliaries of canal and breakwater.

We find that both the upper and lower series of locks are built of stone, in a substantial and durable manner, that the gates are en-

tirely new, that the breakwater and canal, or the two canals, are built of wood on a stone and cement foundation, and that the whole work is to all appearances in good repair.

The owners of the water power have come before this committee and asked that the State define its policy now with reference to these locks. If it is the intention of the State not to buy the locks, they desire to be informed of the fact, so that they can safely go on and improve the water power; and if the State intends to buy, they request that the terms be settled now instead of waiting six years, when the State's option to buy will mature.

If the State buys, the owners want to reserve the right to use the canals for power purposes; but in such manner that transportation shall not be interfered with.

If the State shall agree to surrender its option to purchase, the owners are willing to obligate themselves to keep the locks open to navigation in the same manner and on the same terms as they now are, and to make such improvements and changes only as shall in nowise interfere with or hinder navigation.

Your committee are of the opinion that the interests of all parties will best be served by determining now, if the legislature deem it advisable, all the questions involved, instead of waiting.

The parties desiring to develop the water power are in such position that they can profitably to themselves do a great work in developing an interest which is of the very highest importance to the public at large—the manufacturing interest.

We cannot believe that the interests of this State would be subserved by surrendering either now or at any other time the right to buy these locks and make them free; but we believe it to be fair to the owners of the power that the State should at least define its policy, so they can go on and develop their property; and we are satisfied that the State's option to buy six years from now will be a great obstacle if unsettled.

Your committee believe that if the locks and canals could be purchased at a reasonable price, that such purchase would be to the interest and benefit of the State.

L. T. BARIN,

Chairman of the Senate Committee on Commerce.

J. W. MAXWELL,

Chairman of the House Committee on Commerce.

Mr. Mayer moved the adoption of the report, and the motion prevailed.

By unanimous consent, the special committee to visit the dalles and the Government works at the cascades submitted the following

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 3, 1887. }

Mr. Speaker: The joint committee on the examination of the Columbia river beg leave to submit the following report:

To the Senate and House of the State of Oregon:

Your joint committee, appointed under senate joint resolution No. 1, to examine the dalles of the Columbia river with a view to constructing either a canal and locks or a ship railway around those obstructions to navigation, and to report as early as practicable by bill or otherwise for the consideration of this present legislative assembly; also to examine the Government canal and locks improvement at the cascades of said river, and ascertain from the United States engineer officer in charge the condition of that improvement and the prospect of more vigorous work, and the time required for its completion; and also to ascertain from the United States engineer officer in charge of the improvement of said river below Portland and the jetty at its mouth their present condition and the prospect for the energetic prosecution of such work, beg leave respectfully to report that we have performed the duty assigned us to the best of our ability, considering the limited time at our disposal. Your committee left this city on Friday the 14th of January, 1887, and proceeded directly to the dalles that same day and arrived there about 9 o'clock P. M., and the next day proceeded up the river as far as Celilo. We were met by the board of trade of Dalles City, who furnished a special train for the use of the committee on the trip up the river, and showed us marked attention while in their city. Major Jones and Lieut. Burr accompanied us, and the former especially rendered much valuable assistance and important information to us while examining the obstructions to navigation at the dalles of the Columbia. The rocks and rapids here form a complete and total obstruction. Boats can neither go up nor down, and in consequence means must be adopted to pass them both up and down if complete river navigation is proposed. A survey of this portion of the river has been made, and the urgency of some immediate action with a view to the speedy removal of said obstructions is very great.

It is so apparent that an adequate permanent improvement will be costly, and therefore require a long time to complete it, that temporary relief which can be executed in the least time and at small cost should be looked for. As nothing except the survey has been made in the way of improving the river at the dalles, it is quite

plain that if an appropriation should be made by congress, so that the work could begin next season, at the same rate at which the work at the cascades has been carried forward, it will be at least twelve or fifteen years before the river there could be opened by a canal and locks. Though it is estimated that a boat railway could be constructed in a much less time than that, if the full amount of money necessary for its completion could be obtained at one appropriation. The lowest estimate for a boat railway is nearly \$1,400,000, and it is not likely that the first appropriation will be made sooner than in 1888. A portage railway around the obstructions in this portion of the river offers a solution, because it can be built in six months and at comparatively small cost. It might be commenced near the big eddy and extended to navigable water above the falls, a distance of about ten miles, and the cost of a double narrow gauge track, with rolling stock and terminal facilities would not exceed \$250,000, as estimated by Capt. Powell. And if the State would build this portage railway it could well ask congress to undertake a more costly and adequate work, with a better prospect for a compliance with its request.

Your committee on their return down the river made a hurried examination of the government canal and locks improvements at the cascades, and were greatly assisted therein by Captain Young, the engineer officer in charge of the work. At this point the obstruction to navigation is also complete. Here means must be adopted to pass boats both up and over the rapids. A canal with locks has been adopted for this purpose, and the work, as is well known, has been progressing for a number of years. When this work is completed navigation will be continuous from the mouth of the Columbia to the dalles, and will give an open and free waterway to all who wish to use it, and a healthy competition will be the result for all the trade centering on the river at or below the dalles. The obstructions are caused by the river being forced through a narrow rocky gap in the Cascade mountains, which very much contracts the waterway for a distance of about four and one-half miles. The greatest difficulty in the way of navigation is found at the upper portion of this constructed waterway; is known as the upper cascades, and is about one mile in length, and the remainder thereof, about three and one-half miles in length, is called the lower cascades.

The work here is being pushed forward with vigor and good judgment now, but owing to the delay caused by withholding the appropriation the best part of the short season during which it can successfully be performed was lost. About three hundred hands are now at work, and Captain Young estimates that if he could have appro-

priations sufficiently large to supply all the labor and machinery which he could use in carrying forward his plans, the canal and locks could be completed and ready for passing boats in two years after this. The plan for the improvements here, as modified in 1880, is to "flank the upper cascades with a canal of 3,000 feet long and to make the lower cascades navigable by clearing out islands, bowlders, rocky points and submerged reefs by blasting, thus increasing and smoothing the waterway."

For want of time your committee did not visit the lower Columbia, and have not been able to obtain the data necessary to make a report in regard thereto. Having performed the duty assigned us to the best of our ability in the limited time allowed, we returned on Monday, January 17, 1887, to this city. In closing this report your committee herewith present a memorial to be presented to congress for an appropriation of \$1,373,000 for the construction and equipment of a boat railway at the dalles of the Columbia, and also one for the speedy completion of the canal and locks at the cascades.

P. P. PALMER,

Chairman on the part of the House.

Mr. McLean moved to adopt the report and have five hundred copies printed.

Carried.

THIRD READING OF HOUSE BILLS.

House bill No. 41 read third time.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Biggs, Blevins, Gard, Gubser, Goodsell, Gay, Hale, Henry, Harris, Harrington, Holmes, Kruse, Lockett, Laughlin, Little, Mayer, Miller of Jackson, Mackay, Noyer, Pomeroy, Pendleton, Paulsen, Stafford, Summers, Smith, Wilson, Wilcox—30.

Nays—Messrs. Bilyeu, Crook, Culver, Crockett, Davis, Daly, Hansard, Hicks, Haley, Johnson, Lafollett of Marion, Layman, Maxwell, Miller of Linn, Mitchell, McLean, McKenzie, McCully, Osborn, Palmer, Roberts, Richardson, Swank, Thompson, Taylor, Vanderpool, Mr. Speaker—27.

Absent—Messrs. Holland, Lafollett of Yamhill, Munger—3.

So house bill No. 41 failed to pass.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 4, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has adopted and concurred in house joint memorial No. 4, relating to Indian war of 1855-6, and pensioning the survivors of the Cayuse war.

And the same is herewith transmitted to you for enrollment.

E. G. HURSH,
Chief Clerk.

House bill No. 21 read third time.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Crook, Culver, Crockett, Gard, Gubser, Goodsell, Hicks, Harris, Harrington, Kruse, Lafollett of Marion, Layman, Laughlin, Maxwell, Miller of Jackson, McCully, Osborn, Pendleton, Stafford, Taylor, Mr. Speaker—21.

Nays—Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Davis, Daly, Gay, Hale, Henry, Hansard, Holmes, Haley, Johnson, Lockett, Lafollett of Yamhill, Mayer, Miller of Linn, Mitchell, McLean, McKenzie, Mackay, Noyer, Pomeroy, Palmer, Paulsen, Richardson, Swank, Summers, Smith, Thompson, Vanderpool, Wilson, Wilcox—35.

Absent—Messrs. Holland, Little, Munger, Roberts—4.

So house bill No. 21 failed to pass.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 4, 1887. }

Mr. Speaker: Your committee on engrossed bills, to whom was referred house bill No. 14, beg leave to report the same back to the house as correctly engrossed.

J. H. ROBERTS,
Chairman.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 4, 1887. }

Mr. Speaker: Your committee on engrossed bills, to whom was re-

ferred house bill No. 238, beg leave to report the same back to the house as correctly engrossed.

J. H. ROBERTS,
Chairman.

And the bills were ordered to third reading in order.

House bill No. 70 read third time.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blevins, Crook, Lafollett of Yamhill, Laughlin, Little, Maxwell, Miller of Jackson, Pomeroy, Paulsen, Stafford, Summers—11.

Nays—Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Layman, Mayer, Miller of Linn, Mitchell, McKenzie, Mackay, McCully, Noyer, Osborn, Palmer, Pendleton, Roberts, Richardson, Swank, Smith, Thompson, Taylor, Vanderpool, Wilcox, Mr. Speaker—44.

Absent—Messrs. Gay, Holland, McLean, Munger, Wilson—5.

So house bill No. 70 failed to pass.

Mr. Roberts moved that when the house adjourn it shall adjourn to meet at 7:30 P. M., to consider bills of a local character in which there is no opposition.

Mr. Mitchell moved to strike out "no opposition."

The motion to strike out carried, and as amended the motion was adopted by the house.

Mr. McLean moved to reconsider the vote by which house bill No. 41 was lost.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Bowditch, Crockett, Davis, Gubser, Goodsell, Henry, Holmes, Haley, Laughlin, Little, Mitchell, McLean, Mackay, Paulsen, Roberts, Stafford, Summers, Smith, Taylor, Wilson, Wilcox, Mr. Speaker—23.

Nays—Messrs. Blundell, Bilyeu, Biggs, Blevins, Crook, Culver, Daly, Gard, Hale, Hansard, Hicks, Harris, Harrington, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Mayer, Maxwell, Miller of Linn, McKenzie, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Richardson, Swank, Thompson—33.

Absent—Messrs. Gay, Holland, Miller of Jackson, Munger—4.

So the motion to reconsider was not sustained.

Mr. Bilyeu moved to lay house bill No. 75 on the table.

Carried.

House bill No. 76 read third time.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bilyeu, Biggs, Daly, Harrington, Henry, Johnson, Maxwell, Swank, Wilson—9.

Nays—Messrs. Benjamin, Blundell, Bowditch, Blevins, Crook, Culver, Crockett, Davis, Gard, Gubser, Goodsell, Gay, Hale, Hansard, Hicks, Harris, Holmes, Haley, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Miller of Jackson, Miller of Linn, Mitchell, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Summers, Smith, Thompson, Taylor, Wilcox, Mr. Speaker—47.

Absent—Messrs. Holland, McLean, Munger, Vanderpool—4.

So house bill No. 76 failed to pass.

Mr. Mayer moved to adjourn.

Carried.

EVENING SESSION.

House called to order at 7:30 P. M. by the Speaker in the chair.

The roll was called and those absent were Messrs. Crook, Culver, Charles Lafollett, Mayer, I. D. Miller, McLean, Munger, McCully, Noyer, Summers and Taylor.

Mr. Mayer absent on leave.

Mr. Mayer asked to be excused.

Granted.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 4, 1887. }

Mr. Speaker: I am directed by the President to inform you that I am ordered to return to the house house joint resolution No. 9.

And the same is herewith transmitted.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 4, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed senate bill No. 161, being a bill for an Act for the recovery of real and personal property escheated to the State and for the disposition of estates where the heirs are unknown, etc., and to repeal chapter 14 of miscellaneous laws.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Mr. Thompson moved to suspend the rules and read senate bill No. 161 first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Crockett, Davis, Daly, Gard, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Maxwell, Miller of Jackson, Miller of Linn, McKenzie, Mackay, Osborn, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Vanderpool, Wilson, Wilcox, Mr. Speaker—46.

Nays—None.

Absent—Messrs. Crook, Gubser, Goodsell, Johnson, Lafollett of Yamhill, Little, Mayer, Mitchell, McLean, Munger, McCully, Noyer, Pomeroy, Taylor—14.

So the rules were suspended and senate bill No. 161 was read first time by title only and passed to second reading without question.

Senate bill No. 67 read third time.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Little, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McKenzie, Mackay, Osborn, Pomeroy, Palmer, Pendleton, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Vanderpool, Wilson, Wilcox, Mr. Speaker—51.

Nays—None.

Absent—Messrs. Crook, Lafollett of Yamhill, Mayer, McLean, Munger, McCully, Noyer, Paulsen, Taylor—9.

So senate bill No. 67 passed the house.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 4, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed senate bill No. 247, being a bill for an Act to amend section 31 of an Act entitled an Act to incorporate the city of Ashland in the county of Jackson, State of Oregon.

And the same is herewith transmitted to you for enrollment.

E. G. HURSH,
Chief Clerk.

House bill No. 247 was ordered enrolled.

On motion of Mr. Goodsell, house bill No. 2 was tabled.

House bill No. 32 read third time.

“Shall the bill pass?”

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bilyeu, Biggs, Culver, Crockett, Davis, Gubser, Goodsell, Gay, Holland, Hansard, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Layman, Little, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, McKenzie, Mackay, Osborn, Pomeroy, Palmer, Pendleton, Roberts, Richardson, Stafford, Summers, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—41.

Nays—Messrs. Benjamin, Blundell, Bowditch, Blevins, Daly, Gard, Hale, Henry, Noyer, Paulsen, Swank, Smith—12.

Absent—Messrs. Crook, Hicks, Lafollett of Yamhill, Laughlin, Mayer, Munger, McCully—7.

So house bill No. 32 passed and the title of the bill stood as the title of the Act.

House bill No. 93 read third time.

“Shall the bill pass?”

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Gay, Holland, Hale, Henry, Hansard, Harris, Harrington, Holmes, Haley, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McKenzie, Mackay,

Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—52.

Nays—None.

Absent—Messrs. Crook, Goodsell, Hicks, Johnson, Lafollett of Yamhill, McLean, Munger, McCully—8.

So the house passed house bill No. 93 and the title of the bill stood for the title of the Act.

House bill No. 56 read third time.

Mr. Mitchell moved it be re-referred to committee on counties with leave to report at any time.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Hale, Henry, Hansard, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, McKenzie, Mackay, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—52.

Nays—None.

Absent—Messrs. Goodsell, Gay, Holland, Hicks, Lafollett of Yamhill, Munger, McCully, Roberts—8.

So house bill No. 56 was re-referred with leave to report at any time.

House bill No. 199 read third time.

“Shall the bill pass?”

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, McKenzie, Mackay, McCully, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilcox, Mr. Speaker—53.

Nays—None.

Absent—Messrs. Benjamin, Crook, Lafollett of Yamhill, Little, Munger, Noyer, Wilson—7.

So house bill No. 199 was passed and the title of the bill stood for the title of the Act.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 4, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed house bill No. 113, being a bill for an Act to incorporate Sellwood in the counties of Multnomah and Clackamas, State of Oregon.

And the same is herewith transmitted for enrollment.

E. G. HURSH,
Chief Clerk.

House bill No. 113 was ordered enrolled.

Mr. Summers moved that when the house adjourn to-morrow noon it shall adjourn till Monday, 2 P. M.

Mr. Bilyeu offered to amend by saying when the house adjourn to-night it shall adjourn to Monday 2 P. M.

Mr. Summers accepted the amendment.

The motion was lost.

Mr. Hale moved to adjourn from to-morrow noon till Monday at 9:30 A. M.

Messrs. Gubser, Paulsen and Daly called for the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blevins, Davis, Goodsell, Holland, Hansard, Harris, Harrington, Johnson, Kruse, Layman, Laughlin, Little, Mayer, Miller of Jackson, Miller of Linn, Mitchell, McLean, McKenzie, Mackay, Noyer, Osborn, Pomeroy, Summers, Wilson, Wilcox, Mr. Speaker—25.

Nays—Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Crook, Culver, Crockett, Daly, Gard, Gubser, Gay, Hale, Henry, Holmes, Haley, Lockett, Lafollett of Marion, Layman, Maxwell, McCully, Palmer, Paulsen, Roberts, Richardson, Stafford, Swank, Smith, Thompson, Taylor, Vanderpool—31.

Absent—Messrs. Hicks, Lafollett of Yamhill, Munger, Pendleton—4.

So the motion was lost.

By unanimous consent the committee on education made the following

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 4, 1887. }

Mr. Speaker: Your committee on education, to whom was referred house bill No. 248, beg leave to report that they have had

the same under consideration, and report it back to the house with the recommendation that it do pass.

J. E. BLUNDELL,
Chairman.

And the bill was ordered considered engrossed and passed to third reading.

Mr. Roberts moved, when the house adjourn to-morrow noon it shall adjourn to Monday 2 P. M.

The house sustained the motion.

Committee on enrolled bills reported house bill No. 26.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 4, 1887. }

Mr. Speaker: Your committee on enrolled bills, to whom was referred house bill No. 26, beg leave to report the same back to the house as correctly enrolled.

JOHN WILSON,
Chairman.

Special committee on house bill No. 215, with leave to report at any time, submitted the following

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 4, 1887. }

Mr. Speaker: Your special committee, to whom was referred house bill No. 215, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass as amended.

(Signed)

F. N. LITTLE,
Chairman.

AMENDMENT.

Amend house bill No. 215 by striking out all after the words "An Act" in the first line of said bill and insert the following in lieu thereof: "To amend an Act entitled an Act for the protection of fish and game, approved October 20, 1882."

Be it enacted by the Legislative Assembly of the State of Oregon.

That section 6 of said Act shall be amended so as to read as follows:

Section 6. Every person who shall within the State of Oregon between the first day of January and the fifteenth day of July of each year, take, kill, injure or destroy, or have in possession, sell or offer for sale any grouse, pheasant, quail, partridge, ringneck, Mongolian pheasant, green Japanese pheasant, copper pheasant or Scholmeringer, Tragopan pheasant, silver pheasant, or golden pheasant, shall be guilty of a misdemeanor.

The house adopted the amendment on motion of Mr. Little.

Mr. Benjamin gives notice—that on Monday next I shall offer the following amendment to house rules:

Rule 63. After the thirtieth day of the session of this house there shall be no introduction of bills except the general appropriation bill, or in case of urgent necessity by the unanimous consent of the house.

By unanimous consent the delegation from the first judicial district submitted the following

REPORT

HOUSE OF REPRESENTATIVES,
SALEM, February 4, 1887. }

Mr. Speaker: Your committee of members of the house from the first judicial district, to whom was referred house bill No. 12, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the annexed amendment.

J. T. BOWDITCH,
Chairman.

AMENDMENT.

That section 1 of said bill be and the same is hereby amended so as to read as follows, viz.:

Section 1. That the terms of the circuit courts in the first judicial district shall be held annually as follows:

In Josephine county on the first Monday in March and August.

In Jackson county on the first Monday in April, September and December.

In Klamath county on the second Monday in June and the first Monday in November.

In Lake county on the third Monday in May and the second Monday in October.

That section 3 of said Act be stricken out of said Act.

Adopted on motion of Mr. Bowditch and bill ordered engrossed.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 4, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed house bill No. 169, being a bill for an Act to amend an Act to incorporate Springfield, Lane county, Oregon.

And the same is herewith returned for enrollment.

E. G. HURSH,
Chief Clerk.

And the bill was ordered enrolled.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 4, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed house bill No. 203, being a bill for an Act to amend the charter of the city of East Portland.

And the same is herewith returned for enrollment.

E. G. HURSH,
Chief Clerk.

And the bill was ordered enrolled.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 4, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed house bill No. 93, being a bill for an Act to amend section 7 of an Act entitled an Act to create the county of Gilliam and to fix the salaries of county judge and treasurer thereof.

And the same is herewith transmitted to you for enrollment.

E. G. HURSH,
Chief Clerk.

And the bill was ordered enrolled.

By unanimous consent, the special committee on the State board of agriculture, to whom was referred house bill No. 83, reported as follows:

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 4, 1887. }

Mr. President: Your joint committee on agriculture, to whom was referred house bill No. 83, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do not pass.

C. M. CARTWRIGHT,
Senate Chairman.

F. D. McCULLY,
House Chairman.

So the bill was ordered considered engrossed and passed to third reading.

By unanimous consent, the Multnomah delegation submitted the following

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 4, 1887. }

Mr. Speaker: Your committee consisting of the members from Multnomah county, to whom was referred house bill No. 204, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendments, viz.:

FIRST AMENDMENT.

Strike out the second word "court" at the last end of the fifth line of the twelfth page of the original bill and insert the word "county" in place thereof.

SECOND AMENDMENT.

After the word "and" in the seventh line of the thirteenth page insert the word "county."

THIRD AMENDMENT.

After the word "Multnomah" in the eleventh line of the twenty-sixth page insert the word "county."

FOURTH AMENDMENT.

After the word "corrections" in the seventeenth line of the thirtieth page insert the following, viz.: "In Multnomah county the county judge, clerk of the county court and the county assessor shall constitute the board of equalization of such county to examine and correct the assessment rolls of such county and to increase or reduce the valuation of property assessed in the manner and perform all the duties as now prescribed or which may be prescribed by law for the board of equalization of such county.

JOHN WILSON,
Chairman.

Amendment adopted on motion of Mr. Harrington.

The Chair announced that he was about to sign house bill No. 26 and subsequently that he had signed it.

By consent, the committee on military affairs made the following

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, February 3, 1887. }

Mr. Speaker: Your committee on military affairs, to whom was referred house bill No. 161, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

O. SUMMERS,

Chairman Committee on Military Affairs.

So the bill was ordered considered engrossed and passed to third reading.

Mr. Davis moved to suspend the rules and read house bill No. 241 second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Davis, Daly, Gay, Holland, Hale, Henry, Hansard, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, McLean, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—48.

Nays—None.

Absent—Messrs. Benjamin, Crockett, Gard, Gubser, Goodsell, Hicks, Lafollett of Yamhill, Layman, Miller of Linn, Mitchell, Munger, Roberts—12.

So the rules were suspended and house bill No. 241 read second time by time by title only.

On motion of Mr. Davis, referred to committee on corporations.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, February 4, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed house bill No. 32, being a bill for an Act to amend an Act entitled an Act to incorporate the city of Portland, approved November 25, 1885.

And the same is herewith transmitted to you for enrollment.

E. G. HURSH,
Chief Clerk.

And house bill No. 32 was ordered enrolled.

Mr. Summers moved to adjourn.

Lost.

Mr. Thompson demanded a call of the house.

The roll was called and those absent were Messrs. Crook, Goodsell, Hale, Hicks, Harris, Haley, Johnson, Kruse, Lafollett of Yamhill, Laughlin, Little, Maxwell, Munger, Pomeroy, Palmer, Taylor, Vanderpool—18.

On motion of Mr. Daly, the Sergeant-at-Arms was ordered to bring in the absentees.

Mr. R. A. Miller moved further proceedings under call of the house be dispensed with.

Carried.

Senate bill No. 3 read third time.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—55.

Nays—None.

Absent—Messrs. Bowditch, Harris, Lafollett of Yamhill, McLean, Munger—5.

So senate bill No. 3 passed.

Mr. Crook asked to be excused.

Denied.

Senate bill No. 84 read third time.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harrington, Holmes, Haley, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—55.

Nays—None.

Absent—Messrs. Crook, Harris, Johnson, Lafollett of Yamhill, Munger—5.

So senate bill No. 84 was passed by the house.

Mr. Benjamin moved that when the house adjourn it adjourn to meet at 11 o'clock Monday.

Mr. Daly offered to amend by till 2 P. M. Monday.

The amendment was lost.

Mr. Paulsen offered to amend by till 9:30 to-morrow.

The amendment carried.

As amended the motion was lost.

Mr. Hale rose to a point of order, that motions to fix the time of adjournment were out of order.

The Speaker sustained the point of order.

Mr. Bilyeu moved the reconsideration of the vote by which the house has fixed the time to which to adjourn.

Messrs. Paulsen and Daly called for the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bowditch, Davis, Goodsell, Gay, Holland, Henry, Hansard, Harris, Harrington, Holmes, Johnson, Kruse, Lafollett of Marion, Little, Maxwell, Miller of Linn, Mitchell, McKenzie, Osborn, Pomeroy, Palmer, Wilcox—22.

Nays—Messrs. Benjamin, Blundell, Bilyeu, Biggs, Culver, Crockett, Daly, Gard, Gubser, Hale, Hicks, Haley, Lockett, Layman, Laughlin, Mayer, Miller of Jackson, McLean, Mackay, McCully, Noyer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Mr. Speaker—34.

Absent—Messrs. Blevins, Crook, Lafollett of Yamhill, Munger—4.
So the motion to reconsider was lost.

Mr. Bilyeu moved the Sergeant-at-Arms be ordered to bring in refreshments.

Lost.

Mr. Bilyeu moved previous question.

Declared out of order.

Mr. Harrington asked to be excused.

Not granted.

Mr. Wilson moved to take up order business.

Carried.

Mr. Bilyeu moved to adjourn.

Lost.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 4, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed house bill No. 199, being a bill for an Act to amend Acts incorporating Eugene City.

And the same is herewith transmitted to you for enrollment.

E. G. HURSH,
Chief Clerk.

House bill No. 199 ordered enrolled.

Chair announced order of business, reports of standing committees.

Committee on education reported on house bill No. 43:

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, January 28, 1887. }

Mr. Speaker: Your committee on education, to whom was referred house bill No. 43, providing for the maintenance of kindergartens, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

J. E. BLUNDELL,
Chairman.

So the bill was considered engrossed and ordered to its third reading.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 4, 1887. }

Mr. Speaker: Your committee on education, to whom was referred house bills Nos. 95 and 96, beg leave to report that they have had the same under consideration, and report them back to the house with the recommendation that they do pass.

J. E. BLUNDELL,
Chairman.

And the bills were considered engrossed and passed to third reading.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 3, 1887. }

Mr. Speaker: Your committee on education, to whom was referred house bill No. 62, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the following amendment, to-wit:

AMENDMENT.

In line two (2) of section seventeen (17) on page five (5) of printed bill, after the words "city of" strike out the words "Albany, Linn," and insert in lieu thereof the words "Salem, Marion," and with this amendment recommend that it do pass.

J. E. BLUNDELL,
Chairman.

On motion of Mr. Thompson, the amendment was adopted.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, January 28, 1887. }

Mr. Speaker: Your committee on education, to whom was referred house bill No. 88, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendment, to-wit:

AMENDMENT.

In section 1, line two (2) of the printed bill strike out the word "and" and insert instead thereof the word "or."

J. E. BLUNDELL,
Chairman.

And on motion of Mr. Noyer the house adopted the amendments and the bill was ordered engrossed.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 3, 1887. }

Mr. Speaker: Your committee on judiciary, to whom was referred house bill No. 163, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that the words "twenty-five hundred" be inserted in the blank before the word "dollars" in the second line of section 3 of said bill; that the following amendments be made, viz.:

AMENDMENTS.

After the word "years" in the eleventh line of the first page of the original bill insert the following, viz.: "from and after the general election in 1890," and after the word "election" in the first line of the fourth page of the original bill insert the following, "in 1888 who shall hold such office until after the regular election in 1890 and until a successor is elected and qualifies."

And that the bill do then pass.

S. R. HARRINGTON,
Chairman.

The amendments to house bill No. 163 were adopted, on motion of Mr. Harrington.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 3, 1887. }

Mr. Speaker: Your committee on judiciary, to whom was referred house bill No. 116, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following

AMENDMENT.

Strike out from and inclusive of the words "sixteen years" in the seventeenth line of the first page of the original bill to and inclusive of the word "upwards" in the nineteenth line of the same page and insert the following in the place thereof, viz.: "Fourteen years, or shall carnally know any female person above the age of fourteen years and under sixteen years of age of previous chaste character, or shall forcibly ravish any woman."

S. R. HARRINGTON,
Chairman.

On motion of Mr. Bilyeu, the amendment was adopted.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 3, 1887. }

Mr. Speaker: Your committee on judiciary, to whom was referred house bill No. 115, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

S. R. HARRINGTON,
Chairman.

The bill was ordered considered engrossed and passed to third reading.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 3, 1887. }

Mr. Speaker: Your committee on judiciary, to whom was referred house bill No. 123, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

S. R. HARRINGTON,
Chairman.

The bill was ordered considered engrossed and passed to third reading.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 3, 1887. }

Mr. Speaker: Your committee on judiciary, to whom was referred senate bill No. 6, beg leave to report that they have had the

same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

S. R. HARRINGTON,
Chairman.

And the bill was ordered to third reading.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 3, 1887. }

Mr. Speaker: Your committee on judiciary, to whom was referred house bill No. 138, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

S. R. HARRINGTON,
Chairman.

And the bill was ordered considered engrossed and passed to third reading.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 3, 1887. }

Mr. Speaker: Your committee on judiciary, to whom was referred house bill No. 150, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do not pass.

S. R. HARRINGTON,
Chairman.

And the bill was ordered to be considered engrossed and passed to third reading.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 3, 1887. }

Mr. Speaker: Your committee on judiciary, to whom was referred house bill No. 170, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

S. R. HARRINGTON,
Chairman.

And the bill was ordered considered engrossed and passed to third reading.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 2, 1887. }

Mr. Speaker: Your committee on judiciary, to whom was referred house bill No. 124, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

S. R. HARRINGTON,
Chairman.

And the bill was ordered considered engrossed and passed to third reading.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 2, 1887. }

Mr. Speaker: Your committee on judiciary, to whom was referred house bill No. 139, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

S. R. HARRINGTON,
Chairman.

And the bill was ordered considered engrossed and passed to third reading.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 2, 1887. }

Mr. Speaker: Your committee on judiciary, to whom was referred house bill No. 45, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendments, to-wit:

FIRST AMENDMENT.

After "Columbia county" insert "two hundred," instead of "three hundred."

SECOND AMENDMENT.

After "Grant county" insert "four hundred," instead of "six hundred."

S. R. HARRINGTON,
Chairman.

On motion of Mr. Daly, the amendments were adopted.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, January 28, 1887. }

Mr. Speaker: Your committee on judiciary, to whom was referred house bill No. 92, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do not pass.

S. R. HARRINGTON,
Chairman.

And the bill was ordered considered engrossed and passed to third reading.

Mr. Benjamin moved to adjourn, and the house adjourned.

SATURDAY, FEBRUARY 5, 1887.

MORNING SESSION.

HOUSE OF REPRESENTATIVES,
SALEM, February 5, 1887. }

House called to order at 9:30 A. M., the Speaker in the chair.

The roll was called and those absent were Messrs. Crockett, Goodsell, Mayer, Miller of Jackson, Mitchell, Munger, Noyer and Pomeroy.

On motion of Mr. Daly, the journal was dispensed with.

Messrs. Blevins and Osborn excused till 2 P. M. Monday.

By consent, Mr. Daly introduced house bill No. 249, to provide for purchase of locks, etc., at Oregon City.

Mr. Daly moved to suspend the rules and read the bill first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Crook, Culver, Crockett, Daly, Gard, Gubser, Hale, Henry, Hansard, Hicks, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Miller of Linn, McLean, McKenzie, Mackay, McCully, Noyer, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Mr. Speaker—47.

Nays—None.

Absent—Messrs. Blevins, Davis, Goodsell, Gay, Holland, Harris, Mayer, Maxwell, Miller of Jackson, Mitchell, Munger, Osborn, Wilcox—13.

So the rules were suspended and house bill No. 249 read first time by title only.

Mr. Maxwell was allowed to introduce house bill No. 250, to regulate the fees of clerks in Clatsop county.

On motion of Mr. Harrington, Hon. George L. Story was invited to a seat within the bar.

On motion of Mr. Bilyeu, Hon. L. Cleveland was invited within the bar.

On motion of Mr. Maxwell, Judge Page was invited within the bar.

Mr. Maxwell moved to suspend the rules and read house bill No. 250 first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Maxwell, Miller of Jackson, Miller of Linn, McLean, McKenzie, Mackay, McCully, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Vanderpool, Wilcox, Mr. Speaker—49.

Nays—None.

Absent—Messrs. Blevins, Goodsell, Gay, Lockett, Mayer, Mitchell, Munger, Noyer, Osborn, Taylor, Wilson—11.

So the rules were suspended and house bill No. 250 was read first time by title only.

Mr. Pomeroy was allowed to introduce house bill No. 251, to provide for the support of the propagation of food fishes.

Mr. Benjamin's motion to add rule 63—

NOTICE.

HOUSE OF REPRESENTATIVES,
SALEM, February 4, 1884. }

Mr. Speaker: I hereby give notice that on Monday next I shall offer the following amendment to house rules:

Rule 63. After the thirtieth day of the session of this house there shall be no introduction of bills except the general appropriation bill, or, in case of urgent necessity, by the unanimous consent of the house.

W. F. BENJAMIN.

Was read.

On motion of Mr. Benjamin, adopted.

Mr. Bilyeu moved to suspend the rules and read house bill No. 251 first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Culver, Crockett, Daly, Gard, Gubser, Gay, Holland, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Maxwell, Miller of Jackson, Miller of Linn, McLean, McKenzie, Mackay, McCully, Noyer, Pomeroy, Palmer, Pendleton, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilcox, Mr. Speaker—49.

Nays—None.

Absent—Messrs. Blevins, Crook, Davis, Goodsell, Hale, Mayer, Mitchell, Munger, Osborn, Paulsen, Wilson—11.

So the rules were suspended and house bill No. 251 was read first time by title only.

Mr. Bilyeu moved to further suspend the rules and read house bill No. 251 second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Crook, Culver, Crockett, Daly, Gard, Gubser, Gay, Holland, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Maxwell, Miller of Jackson, Miller of Linn, McLean, McKenzie, Mackay, McCully, Noyer, Pomeroy, Palmer, Pendleton, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilcox, Mr. Speaker—49.

Nays—Mr. Paulsen—1.

Absent—Messrs. Blevins, Davis, Goodsell, Hale, Henry, Mayer, Mitchell, Munger, Osborn, Wilson—10.

So the rules were suspended and house bill No. 251 was read second time by title.

On motion of Mr. Bilyeu, referred to joint committee on fishing interests.

Mr. Crook introduced

HOUSE JOINT RESOLUTION NO. 10.

Resolved by the House, the Senate concurring:

That the Secretary of State be and he is hereby directed to compile and prepare the road laws and the game laws of the State as amended at this session of the legislature and cause 2500 copies of each to be printed and distribute as many thereof as may be necessary to the proper officers in the State.

Mr. Crook moved its adoption.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Crook, Culver, Crockett, Davis, Daly, Gard, Gay, Holland, Hale, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Maxwell, Miller of Jackson, Miller of Linn, McLean, McKenzie, Mackay, McCully, Noyer, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilcox, Mr. Speaker—49.

Nays—None.

Absent—Messrs. Biggs, Blevins, Gubser, Goodsell, Henry, Mayer, Mitchell, Munger, Osborn, Pomeroy, Wilson—11.

So house joint resolution No. 10 was adopted.

Mr. Kruse moved to suspend the rules and read house bill No. 210 third time and put on its passage now.

Pending which the committee on commerce reported house bill No. 210.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 3, 1887. }

Mr. Speaker: Your committee on commerce, to whom was referred house bill No. 210, report said bill back to the house and recommend that same do pass.

J. W. MAXWELL,
Chairman Committee on Commerce.

On the question to read house bill No. 210 now the roll was called and the vote was:

Those voting aye were:

Messrs. Blundell, Bowditch, Bilyeu, Culver, Crockett, Davis, Daly, Gard, Gubser, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Holmes, Haley, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Maxwell, Miller of Jackson, McLean, McKenzie, McCully, Pomeroy, Palmer, Pendleton, Roberts, Richardson, Stafford, Swank, Summers, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—43.

Nays—Messrs. Benjamin, Noyer, Paulsen, Smith, Thompson—5

Absent—Messrs. Biggs, Blevins, Crook, Goodsell, Harrington, Johnson, Mayer, Miller of Linn, Mitchell, Munger, Mackay, Osborn—12.

So the rules were suspended and the bill read third time.

“Shall the bill pass?”

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Gay, Holland, Hale, Henry, Hansard, Hicks, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, McKenzie, Mackay, McCully, Noyer, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—54.

Nays—None.

Absent—Messrs. Blevins, Goodsell, Harris, Mayer, Munger, Osborn—6.

So the bill passed, and the title of the bill stood as the title of the Act.

Mr. Hicks was excused by the Chair.

Mr. Thompson moved to reconsider the vote by which house bill No. — was passed.

Mr. Summers moved to lay on the table the motion to reconsider, and on division of the house the motion to table was announced as prevailing.

Mr. Davis was excused by the Chair.

Petitions were introduced by Mr. Harris and referred to the fisheries committee.

The Clackamas county delegation reported on house bill No. 214.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 5, 1887. }

Mr. Speaker: Your committee on house bill No. 214, delegates from Clackamas county, to whom said bill was referred, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

P. S. NOYER,
Chairman.

So the bill was ordered considered engrossed and passed to third reading.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 5, 1887. }

Mr. Speaker: Your committee on enrolled bills, to whom was referred house joint memorial No. 2, beg leave to report the same back to the house as correctly enrolled.

JOHN WILSON,
Chairman.

And the Chair announced that he was about to sign house joint memorial No. 2, and subsequently that he had signed it.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 5, 1887. }

Mr. Speaker: Your committee on enrolled bills, to whom was referred house bill No. 52, beg leave to report the same back to the house as correctly enrolled.

JOHN WILSON,
Chairman.

The Chair announced that he was about to sign house bills Nos. 52 and 31, and subsequently that he had signed them.

By consent the house returned to the second order of business, report of standing committees.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 4, 1887. }

Mr. Speaker: Your committee on claims, to whom was referred house bill No. 179 for compensation of judge and clerks of registration, Grant county, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do not pass.

W. B. CULVER,
Chairman.

And the bill was ordered considered engrossed and passed to third reading.

Mr. Thompson moved to indefinitely postpone house bill No 179. On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Culver, Gard, Gubser, Gay, Hale, Henry, Hansard, Hicks, Harrington, Holmes, Kruse, Lafollett of Marion, Lafollett of Yamhill, Layman, Miller of Linn, Mitchell, Noyer, Pomeroy, Palmer, Pendleton, Paulsen, Richardson, Stafford, Summers, Smith, Thompson, Vanderpool, Wilcox—32.

Nays—Messrs. Biggs, Crook, Crockett, Harris, Haley, Johnson, Lockett, Little, Maxwell, Miller of Jackson, McKenzie, Mackay, McCully, Roberts, Swank, Taylor, Wilson, Mr. Speaker—18.

Absent—Messrs. Blevins, Davis, Daly, Goodsell, Holland, Laughlin, Mayer, McLean, Munger, Osborn—10.

So house bill No. 179 was indefinitely postponed.

By consent, Mr. Noyer introduced

HOUSE RESOLUTION NO. 52.

WHEREAS, At the regular session of 1870 the State of Oregon by legislative enactment pledged its faith to pay and did finally pay to the Willamette Falls Canal and Lock Company in gold coin the sum of \$200,000 upon certain conditions as in said Act therein set forth, among which was the express condition that said Willamette Falls Canal and Lock Company should pay to the State of Oregon ten per centum of the net profits arising from the tolls collected for passing freight and passengers through said canal and locks; therefore,

Resolved, That a committee of three members on the part of the house shall be appointed and authorized to ascertain by examin-

ation and research of the State records and such other methods as may be deemed necessary how much money has been paid to the State by said company arising from the collection of said ten per centum of net profits, and if but little the reason therefor; and said committee to report to the house at its earliest convenience.

On motion of Mr. Noyer, the resolution was adopted.

Committee on claims reported as follows:

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 4, 1887. }

Mr. Speaker: Your committee on claims to whom was referred house bill No. 180, to appropriate money to build a school building in Grant county, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do not pass.

W. B. CULVER,
Chairman.

Mr. Thompson moved to indefinitely postpone house bill No. 180.

Mr. Paulsen moved to read the bill.

The motion prevailed and the bill was read, after which the question was put on the motion to indefinitely postpone.

Carried.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 3, 1887. }

Mr. Speaker: Your committee on claims, to whom was referred house bill No. 90, for relief of A. W. Presley, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

W. B. CULVER,
Chairman.

Considered engrossed and passed to third reading.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 3, 1887. }

Mr. Speaker: Your committee on claims, to whom was referred house bill No. 86, for relief of W. F. and S. E. Settlemier, beg leave

to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do not pass.

W. B. CULVER,
Chairman.

And the bill was ordered considered engrossed and passed to third reading.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, February 1, 1887. }

Mr. Speaker: Your committee on claims, to whom was referred house bill No. 175, a bill for the relief of N. G. McDonald, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

W. B. CULVER,
Chairman.

And the bill was ordered considered engrossed and passed to its third reading.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, February 3, 1887. }

Mr. Speaker: Your committee on roads and highways, to whom was referred house bill No. 288, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do not pass.

M. P. GARD,
Chairman.

And the bill was considered engrossed and ordered passed to its third reading.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, February 3, 1887. }

Mr. Speaker: Your committee on roads and highways, to whom was referred house bill No. 82, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

M. P. GARD,
Chairman.

And the bill was ordered considered engrossed and passed to third reading.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 3, 1887. }

Mr. Speaker: Your committee on roads and highways, to whom was referred house bill No. 155, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

M. P. GARD,
Chairman.

And the bill was ordered considered engrossed and passed to third reading in order.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 3, 1887. }

Mr. Speaker; Your committee on roads and highways, to whom was referred house bill No. 152, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house without recommendation.

M. P. GARD,
Chairman.

And the bill was ordered considered engrossed and passed to the third reading.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 3, 1887. }

Mr. Speaker: Your committee on roads and highways, to whom was referred house bill No. 114, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

M. P. GARD,
Chairman.

And the bill was ordered considered engrossed and passed to its third reading.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, February 3, 1887. }

Mr. Speaker: Your committee on roads and highways, to whom was referred house bill No. 91, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

M. P. GARD,
Chairman.

And the bill was ordered considered engrossed and passed to third reading.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, January 28, 1887. }

Mr. Speaker: Your committee on roads and highways, to whom was referred House bill No. 67, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

M. P. GARD,
Chairman.

So the bill was ordered considered engrossed and passed to the third reading.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, February 5, 1887. }

Mr. Speaker: Your committee on printing, to whom was referred house bill No. 197, entitled a bill for an Act amending an Act defining the duties of State Printer, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

THOMAS PAULSEN,
Chairman.

So the bill was ordered considered engrossed and passed to third reading.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, February 5, 1887. }

Mr. Speaker: Your committee on enrolled bills, to whom was referred house bill No. 32, beg leave to report the same back to the house as correctly enrolled.

JOHN WILSON,
Chairman.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, January 31, 1887. }

Mr. Speaker: Your committee on printing, to whom was referred a bill for an Act for collecting, compiling, printing, binding, publishing and distributing the laws of Oregon and described on the records as house bill No. 108, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendments:

FIRST AMENDMENT.

Strike out in lines 1 and 2 of section 1 the following words, "Judges of the Supreme Court of the State of Oregon" and insert in lieu thereof, "that the following-named attorneys, residents of the State of Oregon, E. B. Watson, C. W. Fulton and H. K. Hanna are hereby declared a code commission for the State of Oregon."

SECOND AMENDMENT.

Insert in line 42, section 1, after the words "to the," the words, "Secretary of State who shall deliver the same to the".

THIRD AMENDMENT.

In section 2 in line 6 after the word "in" strike out "brevier or"; strike out in line 9, section 2, after the word "nonpariel," the words "or agate."

FOURTH AMENDMENT.

In Section 2, line 7, strike out the six and substitute the word four.

FIFTH AMENDMENT.

In section 3, in line 13, strike out "State printer" and insert "Secretary of State"; in lines 18 and 19, section 3, strike out "State Printer" and insert in lieu thereof "Secretary of State."

SIXTH AMENDMENT.

In section 5, in lines 1 and 2, strike out after the word "each" the words "Judges of the Supreme Court" and in lieu thereof insert "of the members of said code commission."

SEVENTH AMENDMENT.

Insert in section 5, line 7, after the word "dollars" the following words: "*Provided, however,* that said code commissioners shall enter into and negotiate with Lair Hill for the manuscript of his compilation of a duly certified and complete copy of the Oregon code for a sum not less than \$1,500 for said compilation and he shall present the same to the code commissioners on or before the first day of May, 1887; if not so furnished at the time so specified so much of this Act as pertains to Hill's code shall be null and void; *be it further provided,* that the balance of the three thousand dollars shall be in case said Lair Hill furnishes said manuscript divided pro rata among said code commissioners.

EIGHTH AMENDMENT.

In section 6, line 8, after the word "the" strike out the word "United."

NINTH AMENDMENT.

In section 7, line 1, strike out the words "Judges of the Supreme Court" and in lieu thereof insert "the said code commissioners."

TENTH AMENDMENT.

Add the following: Section 9. All money heretofore appropriated for the payment of the Hill code now in the treasury is hereby appropriated to carry out the provisions of this Act and the Secretary of State is hereby authorized to draw his warrant for said \$11,000 to be transferred and applied to carry out the provisions of this Act; *be it further provided*, that in case either of said code commissioners fail to qualify or accept for the position on said code commission the remaining two shall and are hereby authorized to select a competent attorney to fill such vacancy.

ELEVENTH AMENDMENT.

Amend by changing number of sections as follows: After section 7 number the remaining sections 8, 9, 10, 11.

THOMAS PAULSEN,
Chairman.

Mr. Summers moved the adoption of the amendments to house bill No. 108 and the motion carried and house bill No. 108 was ordered engrossed.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, February 4, 1887. }

Mr. Speaker: Your committee on commerce, to whom was referred senate bill No. 17, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

J. W. MAXWELL,
Chairman.

And the bill was ordered to third reading.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, February 4, 1887. }

Mr. Speaker: Your committee to whom was referred house joint memorial No. 5, report said memorial back to the house and recommend that the same do pass.

J. W. MAXWELL,
Chairman.

On motion of Mr. Biggs, the memorial was adopted.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, February 4, 1887. }

Mr. Speaker: Your committee on commerce, to whom was referred house bill No. 162, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

J. W. MAXWELL,
Chairman.

And the bill was ordered considered engrossed and passed to third reading.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, February 4, 1887. }

Mr. Speaker: Your committee on commerce, to whom was referred house bill No. 58, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following

AMENDMENT.

That on page three, in third line thereof and following the word "exceeding" the word "three" shall be stricken out and the word "four" be inserted in place thereof.

J. W. MAXWELL,
Chairman.

On motion of Mr. Maxwell the amendment was adopted and the bill was considered engrossed and passed to third reading.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, February 5, 1887. }

Mr. Speaker: Your committee on counties, to whom was referred house bill No. 230, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house without recommendation.

F. D. McCULLY,
Chairman.

The bill was considered engrossed and passed to third reading.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 4, 1887. }

Mr. Speaker: Your committee on counties, to whom was referred house bill No. 191, would respectfully report the same back to the house and recommend that it be referred, to the committee of judiciary.

F. D. McCULLY,
Chairman.

On motion of Mr. Bilyeu, the house adopted the report.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 4, 1887. }

Mr. Speaker: Your committee on counties, to whom was referred house bill No. 233, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

F. D. McCULLY,
Chairman.

And the bill was considered engrossed and passed to third reading.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 5, 1887. }

Mr. Speaker: Your committee on counties, to whom was referred house bill No. 56, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass, after being amended as herewith recommended.

F. D. McCULLY,
Chairman.

AMENDMENTS TO HOUSE BILL NO. 56.

In line 3 of section 6, after the word "Grant," insert the words "Josephine, Benton."

Also, in line 5 of same section, after the word "Grant," insert the words "Josephine, Benton."

On motion of Mr. Roberts, the report and amendments were adopted.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 4, 1887. }

Mr. Speaker: Your committee on federal relations, to whom was referred house bill No. 55, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass, with the following amendments.

J. B. JOHNSON,
Chairman.

AMENDMENT.

Insert after the word purchaser in line five, section three the following amendment:

Provided, no forfeiture shall work against any actual settler until thirty days after said settler has been notified in writing by the proper authority.

On motion of Mr. Johnson the report and amendment was adopted, and bill ordered engrossed and passed to third reading.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 5, 1887. }

Mr. Speaker: Your committee on internal improvements, to whom was referred house bill No. 190, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do not pass.

J. W. STAFFORD,
Chairman.

The bill was ordered considered engrossed and passed to third reading.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, February 5, 1887. }

Mr. Speaker: Your committee on internal improvements, to whom was referred house bill No. 224, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

J. W. STAFFORD,
Chairman.

The bill was ordered considered engrossed and passed to third reading.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, February 5, 1887. }

Mr. Speaker: Your committee on public buildings, to whom was referred house bill No. 17, to extend capital grounds, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do not pass.

M. POMEROY,
Chairman.

And the bill was considered engrossed and passed to third reading.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, January 28, 1887. }

Mr. Speaker: Your committee on agriculture, to whom was referred house bill No. 85, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

A. H. CROOK,
Chairman.

The bill was considered engrossed and passed to third reading.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, January 20, 1887. }

Mr. Speaker: Your committee on agriculture, to whom was referred house bill No. 24, beg leave to report that they have had the

same under consideration, and, would respectfully report it back to the house with the recommendation that it do pass.

A. H. CROOK,
Chairman.

The bill was considered engrossed and passed to third reading.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, January 28, 1887. }

Mr. Speaker: Your committee on agriculture, to whom was referred house bill No. 20, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendment:

A. H. CROOK,
Chairman.

The following amendment was agreed on by your committee on agriculture on senate bill No. 20.

AMENDMENT.

Amend section 1 by adding to said section the following, to-wit: On conviction before any court of competent jurisdiction in this State.

On motion of Mr. Gard, the report and amendment were adopted.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, January 28, 1887. }

Mr. Speaker: Your committee on agriculture, to whom was referred house bill No. 80, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do not pass.

A. H. CROOK,
Chairman.

And the bill was considered engrossed and passed to third reading.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, February 4, 1887. }

Mr. Speaker: Your committee on railways and transportation, to whom was referred house bills Nos. 118 and 120, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that they do pass.

D. MACKAY,
Chairman.

And the bill was considered engrossed and passed to third reading.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, February 4, 1887. }

Mr. Speaker: Your committee on assessment and taxation, to whom was referred house bill No. 154, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with amendment attached:

D. SMITH,
Chairman.

AMENDMENT.

After the word "accounts" in line five (5) of section three (3) of printed bill, "*Provided*, that any stockholder of any home company shall be allowed to deduct from his assessment all paid up shares of capital stock held by him in any said home company."

On motion of Mr. Harris, the house adopted the amendment and report.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, February 4, 1887. }

Mr. Speaker: Your committee on assessment and taxation, to whom was referred house bill No. 183, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house without recommendation.

D. SMITH,
Chairman.

And the bill was considered engrossed and passed to third reading.

Mr. Harris moved that the vote by which house bill No. 69 failed to pass be reconsidered, and that the motion to reconsider lie on the table till Monday, which motion prevailed.

On motion of Mr. Daly, house adjourned.

MONDAY, FEBRUARY 7, 1887.

MORNING SESSION.

HOUSE OF REPRESENTATIVES, }
SALEM, February 7, 1887. }

House called to order at 9:30 A. M., the Speaker in the chair.

The roll was called and those absent were Messrs. Bowditch, Goodsell, Harris, A. M. Lafollett, Layman and Laughlin.

Journal read about half through and on motion of Mr. Lockett, further reading dispensed with.

The following communication was received:

RESOLUTION COLUMBIA RIVER IMPROVEMENTS.

WHEREAS, We, in common with all the people of Washington Territory, recognize that the opening of the Columbia river to public navigation is to the people of the northwest of paramount importance, and that each year the completion thereof is deferred is a loss to the people of Oregon and Washington almost if not quite equal to the cost of such improvements;

Therefore, we, as the representatives of the people of the city of Walla Walla, promise to do all in our power to have the people of Oregon and Washington meet on common ground, and that any advance made by the legislature of the State of Oregon looking to a joint effort of the people of the two jurisdictions for carrying forward this great work will have at all times the earnest co-operation and aid of the city of Walla Walla and the people thereof; and that all right and proper efforts will be made to induce the Governor and legislature of this Territory to give the project their aid. In our opinion the proposition to have the work carried on by Oregon and Washington is perfectly justifiable and meets our approval.

Done by the council of the city of Walla Walla, Washington Territory, February 4, A. D. 1887.

J. M. BOYD,
Mayor.

Attest: HENRY KELLING, Clerk.
Mr. Maxwell moved the adoption of

HOUSE CONCURRENT RESOLUTION NO. 23.

Resolved, That a committee of three on the part of the house and two on the part of the senate be appointed to visit and report on the condition of the school for the blind.

The resolution was adopted.

Mr. Palmer asked that house bill No. 229 be amended by the Clerk, by the insertion of enabling Act.

Granted.

Mr. Hale offered house resolution No. 53.

HOUSE RESOLUTION NO. 53.

WHEREAS, Lobbyists are in the habit of coming by the side entrance uninvited within the bar of the house during the sessions, and thereby interrupting the members and causing them great inconvenience and annoyance and distracting their attention from business; therefore,

Be it resolved by the House: That the Honorable Secretary of State be and is hereby instructed to furnish chains and hooks with which the Doorkeeper may close the side entrance of the bar while the house is in session; and that the expenses thereof be audited and paid out of the legislative fund as other claims of like nature are audited and paid.

On motion of Mr. Hale, adopted by the house February 7, 1887.

The Chair announced as committee to inquire into the matter of income from locks at Oregon City, Messrs Noyer, Holland and Crook.

INTRODUCTION AND FIRST READING OF BILLS.

By Mr. Harrington. House bill No. 252, to amend sections 2 and 3 of chapter 24, general laws of Oregon.

Read first time.

By Mr. Pomeroy. House bill No. 253, to provide for, locate and aid in opening a wagon road, to be called the Columbia river and Tillamook wagon road.

Read first time.

By Mr. Pomeroy. House bill No. 254, to provide county commissioners for Columbia county.

Read first time.

Mr. Pomeroy moved house bill No. 254 be read second time by title now, and under suspension of rules.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Gay, Holland, Hale, Henry, Hansard, Hicks, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Layman, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—55.

Nays—None.

Absent—Messrs. Biggs, Goodsell, Harris, Lafollett of Yamhill, Laughlin—5.

So the rules were suspended and house bill No. 257 was read second time by title.

On motion of Mr. Pomeroy, ordered printed and referred to committee on counties.

Mr. Speaker: I move that when this house adjourn it be to meet at half-past seven o'clock this evening, at which session no business shall be considered except bills now on the third reading, local in effect and against which there are no objections.

HARRINGTON.

The motion was adopted February 7, 1887.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,)
SALEM, February 7, 1887.)

Mr. Speaker: I am directed by the President to inform you that the senate has passed senate bill No. 54, a bill for an Act to amend section 1 of an Act to authorize foreign corporations to do business and exercise their corporate powers within this State.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

And the bill was read first time and passed to second reading without question.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 7, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed senate bill No. 55, a bill for an Act to amend section 5 of chapter 7 of the miscellaneous laws of Oregon.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Senate bill No. 55 read first time.

Mr. Harrington moved to suspend the rules and read the bill second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blundell, Bowditch, Bilyeu, Biggs, Crook, Culver, Crockett, Gard, Gay, Holland, Hale, Hansard, Harrington, Johnson, Lockett, Lafollett of Yamhill, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, Mackay, McCully, Noyer, Pomeroy, Palmer, Roberts, Summers, Wilson, Mr. Speaker—33.

Nays—Messrs. Benjamin, Blevins, Daly, Gubser, Henry, Hicks, Holmes, Haley, Kruse, Lafollett of Marion, Layman, McKenzie, Osborn, Pendleton, Paulsen, Richardson, Stafford, Swank, Smith, Thompson, Taylor, Vanderpool—22.

Absent—Messrs. Davis, Goodsell, Harris, Laughlin, Wilcox—5.

So the motion to suspend the rules was lost and senate bill No. 55 passed to second reading.

By Mr. R. A. Miller. House bill No. 255, to amend section 21, chapter 50, title 1, miscellaneous laws of Oregon.

Read first time.

By Mr. Crook. House bill No. 256, to permit gates on county roads under certain circumstances.

Read first time.

By Mr. Thompson. House bill No. 257, to amend section 5 of an Act to prevent deception in sales of dairy products.

Read first time.

By Mr. Noyer. House bill No. 258, for the relief of George Clark.

Read first time.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, February 7, 1887. }

Mr. Speaker: Your committee on engrossed bills, to whom was referred house bill No. 56, beg leave to report the same back to the house as correctly engrossed.

J. H. ROBERTS,
Chairman.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, February 7, 1887. }

Mr. Speaker: Your committee on engrossed bills, to whom was referred house bill No. 88, beg leave to report the same back to the house as correctly engrossed.

J. H. ROBERTS,
Chairman.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, February 7, 1887. }

Mr. Speaker: Your committee on engrossed bills, to whom was referred house bill No. 163, beg leave to report the same back to the house as correctly engrossed.

J. H. ROBERTS,
Chairman.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, February 7, 1887. }

Mr. Speaker: Your committee on engrossed bills, to whom was referred house bill No. 12, beg leave to report the same back to the house as correctly engrossed.

J. H. ROBERTS,
Chairman.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, February 7, 1887. }

Mr. Speaker: Your committee on engrossed bills, to whom was referred house bill No. 215, beg leave to report the same back to the house as correctly engrossed.

J. H. ROBERTS,
Chairman.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, February 7, 1887. }

Mr. Speaker: Your committee on engrossed bills, to whom was referred house bill No. 45, beg leave to report the same back to the house as correctly engrossed.

J. H. ROBERTS,
Chairman.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, February 7, 1887. }

Mr. Speaker: Your committee on engrossed bills, to whom was referred house bill No. 116, beg leave to report the same back to the house as correctly engrossed.

J. H. ROBERTS,
Chairman.

Mr. Noyer moved to suspend the rules and read house bill No. 258 second time now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Bowditch, Bilyeu, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gay, Holland, Holmes, Haley, Johnson, Kruse, Lockett, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, McLean, McCully, Noyer, Pomeroy, Palmer, Pendleton, Roberts, Smith, Mr. Speaker—32.

Nays—Messrs. Blevins, Gubser, Hale, Henry, Hansard, Hicks, Harrington, Lafollett of Marion, Layman, Munger, McKenzie, Mackay, Osborn, Richardson, Stafford, Swank, Thompson, Taylor, Vanderpool—19.

Absent—Messrs. Benjamin, Goodsell, Harris, Lafollett of Yamhill, Laughlin, Mitchell, Summers, Wilson, Wilcox—9.

So the house refused to suspend the rules and house bill No. 258 passed to second reading in order.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, February 7, 1887. }

Mr. Speaker: Your committee on enrolled bills, to whom was referred house joint memorial No. 4, beg leave to report the same back to the house as correctly enrolled.

JOHN WILSON,
Chairman.

The Chair announced that he was about to sign house joint memorial No. 4 and subsequently that he had signed it.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, February 7, 1887. }

Mr. Speaker: Your committee on enrolled bills, to whom was referred house bill No. 203, beg leave to report the same back to the house as correctly enrolled.

JOHN WILSON,
Chairman.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, February 7, 1887. }

Mr. Speaker: Your committee on enrolled bills, to whom was referred house bill No. 247, beg leave to report the same back to the house as correctly enrolled.

JOHN WILSON,
Chairman.

The Chair announced that he was about to sign house bills Nos. 203 and 247 and subsequently that he had signed them.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, February 7, 1887. }

Mr. Speaker: Your committee on enrolled bills, to whom was

referred house bill No. 169, beg leave to report the same back to the house as correctly enrolled.

JOHN WILSON,
Chairman.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 7, 1887. }

Mr. Speaker: Your committee on enrolled bills, to whom was referred house bill No. 199, beg leave to report the same back to the house as correctly enrolled.

JOHN WILSON,
Chairman.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 7, 1887. }

Mr. Speaker: Your committee on enrolled bills, to whom was referred house bill No. 93, beg leave to report the same back to the house as correctly enrolled.

JOHN WILSON,
Chairman.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 7, 1887. }

Mr. Speaker: Your committee on enrolled bills, to whom was referred house bill No. 113, beg leave to report the same back to the house as correctly enrolled.

JOHN WILSON,
Chairman.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 7, 1887. }

Mr. Speaker: Your committee on enrolled bills, to whom was referred house bill No. 128, beg leave to report the same back to the house as correctly enrolled.

JOHN WILSON,
Chairman.

House bill No. 250 was read second time and passed to third reading.

The Chair announced that he was about to sign house bills Nos. 169, 199, 93, 128 and 113, and subsequently that he had signed them.

SECOND READING OF SENATE BILLS.

Mr. Harrington moved to suspend the rules and read senate bill No. 163 second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gay, Holland, Hale, Henry, Hansard, Hicks, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—54.

Nays—None.

Absent—Messrs. Biggs, Gubser, Goodsell, Harris, Laughlin, Mitchell—6.

So the rules were suspended and senate bill No. 163 was read second time by title only.

On motion of Mr. Little, was referred to committee on corporations.

Mr. Hale moved to suspend the rules and read senate bill No. 161 second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Gay, Holland, Hale, Henry, Hansard, Hicks, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—56.

Nays—None.

Absent—Messrs. Goodsell, Harris, Laughlin, Mitchell—4.

So the rules were suspended and house bill No. 161 was read second time by title only and passed to third reading.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 7, 1887. }

Mr. Speaker: Your committee on engrossed bills, to whom was referred house bill No. 62, beg leave to report the same back to the house as correctly engrossed.

J. H. ROBERTS,
Chairman.

Mr. Harrington moved to suspend the rules and read senate bill No. 54 second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Gay, Holland, Hale, Henry, Hansard, Hicks, Harrington, Holmes, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—53.

Nays—Messrs. Haley, Thompson—2.

Absent—Messrs. Crook, Goodsell, Harris, Laughlin, Noyer—5.

So the rules were suspended and senate bill No. 54 was read second time by title.

On motion of Mr. Harrington, was made special order for Wednesday next at 2 P. M.

On motion of Mr. Thompson, house bill No. 154 was for correction returned to the house and ordered engrossed.

Mr. Harrington moved to suspend the rules and read senate bill No. 55 second time now by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bowditch, Bilyeu, Biggs, Crook, Culver, Daly, Gubser, Gay, Holland, Hale, Hansard, Harrington, Holmes, Johnson, Kruse, Lockett, Lafollett of Yamhill, Little, Miller of Jackson, Miller of Linn, McLean, Munger, Mackay, Noyer, Osburn, Pomeroy, Palmer, Roberts, Richardson, Swank, Summers, Vanderpool, Wilson, Wilcox, Mr. Speaker—35.

Nays—Messrs. Benjamin, Blundell, Blevins, Davis, Henry, Hicks, Haley, Lafollett of Marion, Layman, Mayer, McKenzie, McCully, Pendleton, Paulsen, Stafford, Smith, Thompson, Taylor—18.

Absent—Messrs. Crockett, Gard, Goodsell, Harris, Laughlin, Maxwell, Mitchell—7.

So the house refused to suspend the rules in favor of senate bill No. 55.

Mr. Summers moved to correct clerical errors in committee amendments to house bill No. 108, as follows:

Motion to amend house bill No. 108 as amended by committee on printing in the printed copy of said bill.

Amend by striking out the word "six" in line 3 of section 2, and substitute the word "four."

Amend by striking out the word "four" in line 4 of section 2, and substitute the word "six," as occurring in printed copy of said bill.

And C. W. Fulton instead of J. C. Fulton.

The house adopted the corrections.

The Chair announced in order the third reading of house bills.

THIRD READING OF HOUSE BILLS.

Mr. Lafollett of Yamhill asked consent to have house bill No. 152 referred to committee on roads and highways and it was so ordered.

Mr. Harrington moved to indefinitely postpone house bill No. 173 and the house sustained the motion.

Mr. McCully moved the indefinite postponement of house bill No. 48 and the motion prevailed.

House bill No. 77 read third time.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Gay, Holland, Hale, Henry, Hansard, Hicks, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Little, Mayer, Maxwell, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Vanderpool, Wilson, Wilcox, Mr. Speaker—54.

Nays—Messrs. Harrington, Taylor—2.

Absent—Messrs. Goodsell, Harris, Laughlin, Miller of Jackson—4.

So house bill No. 77 passed and the title of the bill stood for the title of the Act.

On the motion of Mr. Lockett, the house ordered that house bill No. 44 be taken up and put on final passage.

The committee on public lands reported the bill as follows:

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, January 28, 1887. }

Mr. Speaker: Your committee on public lands, to whom was referred house bill No. 44, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the accompanying amendment.

ROBERT McLEAN,
Chairman.

AMENDMENT.

After the parenthesis in line 6, section 2, insert the words "and a resident of this State."

The amendment was adopted and engrossed at the desk and house bill No. 44 read third time.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Gay, Holland, Hale, Henry, Hansard, Hicks, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—57.

Nays—None.

Absent—Messrs. Goodsell, Harris, Laughlin—3.

So house bill No. 44 was passed and the title of the bill stood for the title of the Act.

Mr. Thompson moved to take the motion to reconsider the vote on the passage of house bill No. 32 from the table.

Lost—21 to 21.

House bill No. 79 read third time.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Crook, Munger, Smith—3.

Nays—Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Gay, Holland,

Hale, Henry, Hansard, Hicks, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—54.

Absent—Messrs. Goodsell, Harris, Laughlin—3.

Mr. Henry moved that house bill No. 94 be taken up and acted on now.

On this question Messrs. Noyer and Paulsen demanded the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bilyeu, Biggs, Blevins, Crockett, Davis, Daly, Gard, Gubser, Holland, Hale, Henry, Hansard, Harrington, Holmes, Haley, Johnson, Lockett, Miller of Jackson, Miller of Linn, Munger, McKenzie, Mackay, Osborn, Roberts, Richardson, Stafford, Swank, Summers, Thompson, Vanderpool, Wilson, Wilcox, Mr. Speaker—35.

Nays—Messrs. Bowditch, Crook, Culver, Gay, Hicks, Kruse, Lafollett of Marion, Layman, Little, Mayer, Maxwell, Mitchell, McLean, McCully, Noyer, Pomeroy, Palmer, Pendleton, Paulsen, Smith, Taylor—21.

Absent—Messrs. Goodsell, Harris, Lafollett of Yamhill, Laughlin—4.

So the house refused to suspend the rules.

On motion of Mr. Mayer, house bill No. 68 was referred back to judiciary committee for amendment.

House bill No. 73 read third time.

“Shall the bill pass?”

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Davis, Daly, Gard, Gubser, Holland, Hale, Henry, Hansard, Harrington, Holmes, Haley, Johnson, Lockett, Lafollett of Yamhill, Layman, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, Mackay, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—48.

Nays—Messrs. Benjamin, Culver, Crockett, Gay, Hicks, Kruse, Lafollett of Marion, McKenzie—8.

Absent—Messrs. Goodsell, Harris, Laughlin, McCully—4.

So house bill No. 73 passed and the title of the bill stood for the title of the Act.

House bill No. 5 read third time.

Mr. Henry rose to point of order that the bill had not been discussed in committee of the whole, and the Chair decided the point well taken.

Mr. Noyer moved that house bill No. 5 be referred to committee of the whole.

The motion prevailed.

Mr. Noyer moved to adjourn, and the house adjourned.

EVENING SESSION.

House called to order at 7:30 P. M., the Speaker in the chair.

The roll was called and those absent were Messrs. Crook, Harris, Charles Lafollett and Mayer.

Messrs. Smith, Thompson, Maxwell, Johnson, Richardson, Bilyeu and Mayer excused from committee work.

House bill No. 211 read third time.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Biggs, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Hale, Holland, Henry, Hansard, Hicks, Harrington, Holmes, Haley, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Little, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Stafford, Swank, Summers, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—50.

Nays—None.

Absent—Messrs. Bilyeu, Crook, Harris, Johnson, Lafollett of Yamhill, Mayer, Maxwell, Richardson, Smith, Thompson—10.

So house bill No. 211 passed and the title of the bill stood for the title of the Act.

Messrs. Mitchell and Hicks excused for committee work.

House bill No. 248 read third time.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harrington, Holmes, Haley, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Little, Miller of Linn, McLean, Munger, McKenzie, Mackay, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—49.

Nays—None.

Absent—Messrs. Crook, Harris, Johnson, Lafollett of Yamhill, Mayer, Maxwell, Miller of Jackson, Mitchell, McCully, Smith, Thompson—11.

So house bill No. 248 passed, and the title of the bill stood for the title of the Act.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 7, 1887. }

Mr. Speaker: Your committee on engrossed bills, to whom was referred house bill No. 204, beg leave to report the same back to the house as correctly engrossed.

J. H. ROBERTS,
Chairman.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 7, 1887. }

Mr. Speaker: Your committee on engrossed bills, to whom was referred house bill No. 154, beg leave to report the same back to the house as correctly engrossed.

J. H. ROBERTS,
Chairman.

House bill No. 204 read third time.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Crockett, Davis, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harrington, Holmes, Haley, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Little, Miller of Jackson,

Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Stafford, Swank, Summers, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—50.

Nays—None.

Absent—Messrs. Crook, Daly, Harris, Johnson, Lafollett of Yamhill, Mayer, Maxwell, Richardson, Smith, Thompson—10.

So house bill No. 204 passed and the title of the bill stood for the title of Act.

Mr. McLean was excused for committee work.

By consent, the committee on judiciary submitted the following report:

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 7, 1887. }

Mr. Speaker: Your committee on judiciary, to whom was referred senate bill No. 152, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

S. R. HARRINGTON,
Chairman.

The bill passed to third reading in order.

House bill No. 233 read third time.

“Shall the bill pass?”

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Biggs, Blevins, Culver, Crockett, Davis, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Harrington, Holmes, Haley, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Little, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Palmer, Pendleton, Paulsen, Roberts, Stafford, Swank, Summers, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—45.

Nays—None.

Absent—Messrs. Bilyeu, Crook, Daly, Hicks, Harris, Johnson, Lafollett of Yamhill, Mayer, Maxwell, Mitchell, Pomeroy, Richardson, Smith, Thompson—15.

So house bill No. 233 passed and the title of the bill stood as the title of the Act.

House bill No. 14 read third time.

“Shall the bill pass?”

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Biggs, Blevins, Crockett, Davis, Gard, Gubser, Goodsell, Gay, Hale, Henry, Hansard, Harrington, Holmes, Haley, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Little, Miller of Jackson, Miller of Linn, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Palmer, Pendleton, Paulsen, Roberts, Stafford, Swank, Summers, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—43.

Nays—None.

Absent—Messrs. Bilyeu, Crook, Culver, Daly, Holland, Hicks, Harris, Johnson, Lafollett of Yamhill, Mayer, Maxwell, Mitchell, McLean, Pomeroy, Richardson, Smith, Thompson—17.

So house bill No. 14 passed and the title of the bill stood for the title of the Act.

House bill No. 218 read third time.

“Shall the bill pass?”

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Biggs, Blevins, Culver, Crockett, Davis, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Harrington, Holmes, Haley, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Little, Miller of Jackson, Miller of Linn, McKenzie, Mackay, McCully, Noyer, Osborn, Palmer, Pendleton, Paulsen, Roberts, Stafford, Swank, Summers, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—44.

Nays—None.

Absent—Messrs. Bilyeu, Crook, Daly, Hicks, Harris, Johnson, Lafollett of Yamhill, Mayer, Maxwell, Mitchell, McLean, Munger, Pomeroy, Richardson, Smith, Thompson—16.

So house bill No. 218 passed and the title of the bill stood for the title of the Act.

House bill No. 12 was read third time.

“Shall the bill pass?”

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Biggs, Blevins, Culver, Crockett, Davis, Gard, Gubser, Gay, Holland, Hale, Henry, Hansard, Harrington, Holmes, Haley, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Little, Miller of Jackson, Miller of Linn, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Palmer, Pendleton, Paulsen, Roberts, Stafford, Swank, Summers, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—44.

Nays—None.

Absent—Messrs. Bilyeu, Crook, Daly, Goodsell, Hicks, Harris, Johnson, Lafollett of Yamhill, Mayer, Maxwell, Mitchell, McLean, Pomeroy, Richardson, Smith, Thompson—16.

So house bill No. 12 was passed, and the title of the bill stood as the title of the Act.

Mr. Noyer moved that the motion to reconsider the vote by which house bill No. 69 failed to pass be postponed till to-morrow at 10 A. M.

Carried.

House bill No. 56 read and declared not in order.

On motion of Mr. Noyer the house adjourned.

TUESDAY, FEBRUARY 8, 1887.

MORNING SESSION.

HOUSE OF REPRESENTATIVES,
SALEM, February 8, 1887. }

House called to order at 9:30 A. M., Speaker in the chair.

Prayer by Rev. M. L. Rugg of Salem.

Roll called and those absent were Messrs. Harrington, Little and Munger.

On motion of Mr. Roberts, reading of the journal was dispensed with.

The Chair announced that he was about to sign house bill No. 32, and subsequently that he had signed it.

Mr. Biggs moved to suspend the rules and take up house bill No. 36 out of its order and put it on its final passage now.

The motion was sustained.

House bill No. 36 read third time.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blundell, Bilyeu, Biggs, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Hale, Henry, Hansard, Hicks, Harrington, Holmes, Haley, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Palmer, Pendleton, Paulsen, Roberts, Rich-

ardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—52.

Nays—Messrs. Benjamin, Bowditch, Miller of Jackson, Pomeroy—4.

Absent—Messrs. Crook, Holland, Harris, Johnson—4.

So the bill passed, and the title of the bill stood as the title of the Act.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 8, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has concurred in the adoption of house concurrent resolution No. 23, providing for the appointment of a joint committee of three on the part of the house and two on the part of the senate to visit and report the condition of the blind school.

And the same is herewith returned.

E. G. HURSH,
Chief Clerk.

The Chair announced as committee on the part of the House, Messrs. Maxwell, A. M. Lafollett and Vanderpool.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 8, 1887. }

Mr. Speaker: I am directed by the President to inform you that he has signed house bill No. 26.

And the same is herewith returned.

E. G. HURSH,
Chief Clerk.

The bill was transmitted to the Governor.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 7, 1887. }

Mr. Speaker: I am directed by the President to inform you that

the Senate has passed senate bill No. 83, being a bill for an Act to protect stock growers within the State of Oregon.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Mr. Hale moved the rules be suspended and senate bill No. 83 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blundell, Bowditch, Biggs, Blevins, Culver, Crockett, Davis, Daly, Gubser, Gay, Holland, Hale, Henry, Hansard, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—51.

Nays—None.

Absent—Messrs. Benjamin, Bilyeu, Crook, Gard, Goodsell, Hicks, Harris, Mayer, Thompson—9.

So the rules were suspended and senate bill No. 83 was read first time by title only.

Mr. Gay moved to further suspend the rules and read senate bill No. 83 second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crockett, Davis, Daly, Gard, Gubser, Gay, Holland, Hale, Henry, Hansard, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Maxwell, Miller of Jackson, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—52.

Nays—Mr. Little—1.

Absent—Messrs. Crook, Culver, Goodsell, Hicks, Harris, Mayer, Miller of Linn—7.

So the rules were suspended and senate bill No. 83 read second time by title only.

Mr. Paulsen offered an amendment which with the bill was referred, on motion of Mr. Haley, to committee on agriculture.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 7, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed senate bill No. 137, being a bill for an Act to incorporate the town of Grant's Pass.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Mr. Mitchell moved to suspend the rules and read senate bill No. 137 first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Holland, Hale, Henry, Hansard, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Maxwell, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—53.

Nays—None.

Absent—Messrs. Culver, Gay, Hicks, Mayer, Miller of Jackson, Miller of Linn, Swank—7.

So the rules were suspended and senate bill No. 137 was read first time by title only.

Mr. Wilcox moved to take up from the table the motion to reconsider the vote by which house bill No. 69 was lost.

The motion prevailed and the question is, "Shall the vote be reconsidered?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Hale, Henry, Hicks, Harris, Harrington, Holmes, Haley, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Mayer, Miller of Jackson, Miller of Linn, Mitchell, McKenzie, Mackay, McCully, Noyer, Osborn, Palmer, Pendleton, Paulsen, Stafford, Swank, Smith, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—43.

Nays—Messrs. Crook, Holland, Hansard, Johnson, Kruse, Lockett, Little, Maxwell, McLean, Pomeroy, Richardson, Summers—12.

Absent—Messrs. Culver, Gay, Munger, Roberts, Thompson—5.

So the motion to reconsider prevailed.

“Shall the bill pass?”

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Crockett, Davis, Gard, Gubser, Hale, Hicks, Harrington, Holmes, Haley, Lafollett of Marion, Lafollett of Yamhill, Layman, Mayer, Miller of Jackson, Miller of Linn, Mitchell, Mackay, McCully, Noyer, Osborn, Pendleton, Roberts, Stafford, Swank, Smith, Wilson, Wilcox—34.

Nays—Messrs. Crook, Holland, Henry, Hansard, Harris, Johnson, Kruse, Lockett, Laughlin, Little, Maxwell, McLean, McKenzie, Pomeroy, Palmer, Paulsen, Richardson, Thompson, Taylor, Vanderpool, Mr. Speaker—21.

Absent—Messrs. Daly, Goodsell, Gay, Munger, Summers—5.

So house bill No. 69 passed and the title of the bill stood as the title of the Act.

Mr. Daly excused till afternoon.

Mr. Mitchell moved to suspend the rules and read senate bill No. 137 second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bowditch, Crook, Crockett, Davis, Goodsell, Holland, Hicks, Harrington, Holmes, Lafollett of Marion, Layman, Mitchell, McLean, Mackay, Noyer, Pendleton, Stafford, Summers, Taylor, Wilcox, Mr. Speaker—21.

Nays—Messrs. Benjamin, Blundell, Bilyeu, Blevins, Culver, Gard, Gubser, Hale, Henry, Hansard, Harris, Haley, Johnson, Kruse, Lockett, Lafollett of Yamhill, Laughlin, Little, Mayer, Maxwell, Miller of Linn, Munger, McKenzie, McCully, Osborn, Pomeroy, Palmer, Paulsen, Roberts, Richardson, Swank, Smith, Thompson, Vanderpool—34.

Absent—Messrs. Biggs, Daly, Gay, Miller of Jackson, Wilson—5.

So the house refused to suspend the rules.

Committee on railway and transportation with leave to report at any time reported house bill No. 198 with amendments, which report and amendments were adopted on motion of Mr. Laughlin.

REPORT

HOUSE OF REPRESENTATIVES,
SALEM, February 7, 1887. }

Mr. Speaker: Your committee on railway and transportation, to

whom was referred house bill No. 198, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendments:

FIRST AMENDMENT.

Insert in line 9 of section 1, printed bill, after the word "lands," "East of the macadamized or county road forty."

SECOND AMENDMENT.

Also insert in line 8 of section 2, printed bill, after the word "disturbed," "and in such a way as to cause the least possible damage to said cemetery grounds."

D. MACKAY,
Chairman.

And the bill was ordered engrossed.

On motion of Mr. Roberts, house bill No. 50 was re-referred to committee on judiciary.

House bill No. 54 read third time.

Mr. Paulsen moved to re-refer to committee on insurance.

Lost.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Ayes—None.

Nays—Messrs. Benjamin, Bowditch, Bilyeu, Blevins, Crook, Culver, Crockett, Davis, Gard, Gubser, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Miller of Jackson, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—52.

Absent—Messrs. Blundell, Biggs, Daly, Goodsell, Maxwell, Miller of Linn, Mitchell, Roberts—8.

So house bill No. 54 failed to pass.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 8, 1887. }

Mr. Speaker: I am directed by the President to inform you that senate bill No. 67 has been reported correctly enrolled.

And the same is herewith transmitted to you for your signature.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, February 8, 1887. }

Mr. Speaker: I am directed by the President to inform you that senate bill No. 89 has been reported correctly enrolled.

And the same is herewith transmitted to you for your signature.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, February 8, 1887. }

Mr. Speaker: I am directed by the President to inform you that senate joint memorial No. 8 has been reported correctly enrolled.

And the same is herewith transmitted to you for your signature.

E. G. HURSH,
Chief Clerk.

The Chair announced that he was about to sign senate bills Nos. 67 and 89 and senate joint memorial No. 8 and subsequently that he had signed them.

House bill No. 102 read third time.

After discussion Mr. Benjamin moved the previous question.

The Chair announced, Shall the main question be now put?

Carried.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bilyeu, Blevins, Culver, Crockett, Davis, Gard, Henry, Hansard, Harrington, Holmes, Lafollett of Marion, Lafollett of Yamhill, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Munger, McKenzie, Mackay, Noyer, Osborn, Pomeroy, Pendleton, Paulsen, Richardson, Summers, Thompson, Vanderpool, Wilcox, Mr. Speaker—32.

Nays—Messrs. Bowditch, Crook, Gubser, Goodsell, Gay, Holland, Hale, Hicks, Harris, Haley, Johnson, Kruse, Lockett, Layman, Laughlin, Little, Mitchell, McLean, McCully, Palmer, Roberts, Stafford, Swank, Smith, Taylor, Wilson—26.

Absent—Messrs. Biggs, Daly—2.

So house bill No. 102 passed and the title of the bill stood for the title of the Act.

On motion of Mr. R. A. Miller, the house adjourned.

AFTERNOON SESSION.

House called to order at 1:35 P. M., the Speaker in the chair.

The roll was called and those absent were Messrs. R. A. Miller, Mitchell, McCully, Roberts and Taylor.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 8, 1887. }

Mr. Speaker: I am directed by the President to inform you that he has signed house bill No. 32.

And the same is herewith transmitted to you.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 8, 1887. }

Mr. Speaker: I am directed by the President to inform you that he has signed house bill No. 52.

And the same is herewith transmitted to you.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 8, 1887. }

Mr. Speaker: I am directed by the President to inform you that he has signed house bill No. 31.

And the same is herewith transmitted to you.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, February 8, 1887. }

Mr. Speaker: I am directed by the President to inform you that he has signed house bill No. 93.

And the same is herewith transmitted to you.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, February 8, 1887. }

Mr. Speaker: I am directed by the President to inform you that he has signed house bill No. 113.

And the same is herewith transmitted to you.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, February 8, 1887. }

Mr. Speaker: I am directed by the President to inform you that he has signed house bill No. 128.

And the same is herewith transmitted to you.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, February 8, 1887. }

Mr. Speaker: I am directed by the President to inform you that he has signed house bill No. 199.

And the same is herewith transmitted to you.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

HOUSE OF REPRESENTATIVES,
SALEM, February 8, 1887. }

Mr. Speaker: I am directed by the President to inform you that he has signed house bill No. 169.

And the same is herewith transmitted to you.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 8, 1887. }

Mr. Speaker: I am directed by the President to inform you that he has signed house bill No. 203.

And the same is herewith transmitted to you.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 8, 1887. }

Mr. Speaker: I am directed by the President to inform you that he has signed house bill No. 247.

And the same is herewith transmitted to you.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 8, 1887. }

Mr. Speaker: I am directed by the President to inform you that he has signed house joint memorial No. 2.

And the same is herewith transmitted to you.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 8, 1887. }

Mr. Speaker: I am directed by the President to inform you that he has signed house joint memorial No. 4.

And the same is herewith transmitted to you.

E. G. HURSH,
Chief Clerk.

By consent the committee to visit the school for deaf mutes reported as follows:

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, January 25, 1887. }

Mr. Speaker: Your joint committee appointed to visit the school for deaf mutes beg leave to report that they visited the school, examined the premises, etc., and that they find the management to be efficient, prudent and economical to a degree rarely found in the management of public or even private institutions. Whilst as a home the establishment seems quite humble, everything about the place is faultlessly clean, neat and comfortable, and the hygienic condition as good as can be expected from the situation. The pupils are comfortably clothed and seem to be in good health. The bedding is good and comfortable. We submit the following estimate for the next two (2) years, and as we approve of the recommendations made in the biennial report of the directors for 1886, page 11 and 12, would respectfully ask that the estimates here submitted be favorably considered by the legislative assembly.

ESTIMATES.

Estimates of expenses, etc., for two years from January 1, 1887, to December 31, 1888, for the Oregon school for deaf mutes. Regular expenses for two years.

Teachers' salaries.....	\$ 2,400 00
Wages of cook and servants.....	1,200 00
Matron's salary.....	1,000 00
Superintendent's salary.....	2,000 00
Improvement and repairs.....	2,000 00
Needed furniture.....	500 00
Clothing indigent pupils.....	200 00
Boarding supplies.....	4,400 00
Total.....	13,700 00

PROPOSED INDUSTRIAL DEPARTMENT.

Industrial instructions.....	2,000 00
Total.....	\$15,700 00

We recommend that an appropriation of fifteen thousand seven hundred dollars be made, of which thirteen thousand seven hundred dollars (\$13,700) shall be to meet current expenses, and two thousand dollars (\$2,000) for the purposed industrial department.

All of which is respectfully submitted.

JOHN WILSON,

Chairman of House Joint Committee.

And the report was ordered to the committee on ways and means for their guidance.

Mr. Thompson moved that committee on assessment and taxation be allowed house bill No. 153 for reference in formulating a bill.

House so ordered.

By permission Mr. Culver reported back from Marion county delegation senate bill No. 26 as follows:

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 8, 1887. }

Mr. Speaker: The delegation from Marion county, to whom was referred senate bill No. 26, beg leave to report that we have had the same under consideration, and would report it back to the house with the recommendation that it do pass.

W. B. CULVER,

Chairman of delegation from Marion county.

And senate bill No. 26 passed to third reading.

Mr. Harrington moved to take up senate bill No. 55 and read second time now and make it special order for 2 P. M. to-morrow with senate bill No. 54.

And the house so ordered, and senate bill No. 55 was read second time and passed to third reading at 2 P. M. to-morrow.

On the motion of Mr. Daly, the house took up second reading of house bills.

SECOND READING OF HOUSE BILLS.

Mr. Daly moved to suspend the rules and read house bill No. 237 second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Holmes, Haley, Johnson, Kruse, Lafollett of Marion, Lafollett of Yambill, Layman, Laughlin, Little,

Miller of Linn, McLean, Munger, McKenzie, Mackay, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—51.

Nays—None.

Absent—Messrs. Benjamin, Harrington, Lockett, Mayer, Maxwell, Miller of Jackson, Mitchell, McCully, Roberts—9.

So the rules were suspended and house bill No. 237 was read second time by title only and passed to third reading.

House bill No. 239 read second time and passed to third reading.

Mr. Thompson gave notice of a bill to be introduced February 9.

House bill No. 242 read second time.

Mr. Paulsen moved to refer it to a special committee of three with leave to report at any time.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Munger, McKenzie, Mackay, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox. Mr. Speaker—52.

Nays—None.

Absent—Messrs. Biggs, Crook, Goodsell, Lafollett of Marion, Mitchell, McLean, McCully, Roberts—8.

So the rules were suspended and house bill No. 242 was referred to Messrs. Paulsen, Wilson and Holmes, with leave to report at any time.

House bill No. 243 read second time.

Mr. Noyer moved the bill be referred to special committee of three with leave to report at any time.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Vanderpool, Wilson, Wilcox, Mr. Speaker—54.

Nays—None.

Absent—Messrs. Biggs, Goodsell, Lockett, Maxwell, McCully, Taylor—6.

Mr. Bilyeu moved to suspend the rules and read house bill No. 246 the second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Vanderpool, Wilson, Wilcox, Mr. Speaker—54.

Nays—None.

Absent—Messrs. Biggs, Goodsell, Johnson, Laughlin, McCully, Taylor—6.

So the rules were suspended and house bill No. 246 was read second time by title only.

On motion of Mr. Mackay, referred to committee on judiciary.

Mr. Daly moved to suspend the rules and read house bill No. 249 second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Little, Mayer, Maxwell, Miller of Jackson, Mitchell, McLean, McKenzie, Mackay, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Vanderpool, Wilson, Wilcox, Mr. Speaker—51.

Nays—None.

Absent—Messrs. Crook, Goodsell, Johnson, Laughlin, Miller of Linn, Munger, McCully, Noyer, Taylor—9.

So the rules were suspended and house bill No. 249 was read second time by title.

Mr. Daly moved to refer to committee on judiciary, with leave to report at any time.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Gay, Holland, Hale,

Henry, Hansard, Hicks, Harrington, Holmes, Haley, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Little, Mayer, Maxwell, Miller of Jackson, Mitchell, McLean, Munger, McKenzie, Mackay, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—53.

Nays—None.

Absent—Messrs. Crook, Goodsell, Harris, Johnson, Laughlin, Miller of Linn, McCully—7.

So house bill No. 249 was referred to the judiciary committee, with leave to report at any time.

House bill No. 252 read second time.

On motion of Mr. Harrington, referred to committee on judiciary.

House bill No. 253 read second time.

On motion of Mr. Pomeroy, referred to the committee on judiciary.

Mr. Mitchell moved that the house go into committee of the whole on house bill No. 5.

The motion prevailed and the house went into committee of the whole to consider house bill No. 5, Mr. Mitchell in the chair.

After deliberation, the committee rose and made the following report to the house:

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 8, 1887. }

Mr. Speaker: Your committee of the whole, to whom was referred house bill No. 5, amending road laws of Oregon, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do not pass.

S. U. MITCHELL,
Chairman.

On motion of Mr. Pendleton, the report was adopted.

Hr. Hale requested the following to appear on the journal.

HOUSE OF REPRESENTATIVES,
SALEM, February 8, 1887. }

When house bill No. 102 was put upon its final passage I did not so understand it, but believed the vote then being taken was upon the previous question, consequently I voted "No," when I fully intended to vote "Aye," and only voted as I did under such misapprehension. I therefore ask the privilege of having this fact spread upon the journal of the house.

C. K. HALE.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 8, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has adopted senate joint memorial No. 6, asking congress for an appropriation of \$1,373,000 00 for a ship railway at the dalles.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

On the motion of Mr. Haley, the house concurred in senate joint memorial No. 6, and senate was notified.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 8, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has adopted senate joint memorial No. 7, asking congress for an appropriation of \$500,000 00 to complete the cascade locks.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

On motion of Mr. Daly, the house concurred in senate joint memorial No. 7, and so notified the senate.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 8, 1887. }

Mr. Speaker: I am directed by the President to inform you that he has appointed Messrs. Emmett and Cauthorn on the part of the senate as members of the joint committee to visit the school for the blind and report the condition of the same, pursuant to house concurrent resolution No. 23.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, February 8, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed senate bill No. 133, being a bill for an Act to authorize the construction of a bridge across the Willamette river between Marion and Yamhill counties, in the State of Oregon.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

And senate bill No. 133 was read first time and passed to second reading without a question.

House bill No. 255 read second time.

On motion of Mr. R. A. Miller, referred to committee on roads and highways.

Committee on corporations with leave to report at any time reported house bill No. 63 with amendments.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, February 8, 1887. }

Mr. Speaker: Your committee on corporations, to whom was referred house bill No. 63 with leave to report at any time, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the amendments annexed.

R. R. LAUGHLIN,
Chairman.

FIRST AMENDMENT.

That section 1 of said bill be amended by inserting after the word "dollars," in the eleventh line of the printed bill the following:

Provided, that the proposition of issuing any bonds for any purpose whatever shall be first submitted to the qualified voters within the corporate limits, and no person shall be deemed a qualified voter for this purpose who does not have the qualifications of a voter within the State and who is not a resident property holder within the corporate limits, and no bonds shall be issued except that a majority of all the voters shall be in favor thereof.

SECOND AMENDMENT.

That said section be further annulled by striking out the word "forty," in the eleventh line of the printed bill, and inserting in lieu thereof the word "thirty," so that said section will read:

Section 1. That the inhabitants of Grant's Pass, Josephine county, Oregon, and their successors, within the limits hereinafter prescribed, are hereby created and established a body politic and corporate by the name and style of the town of Grant's Pass and by that name and style shall have perpetual succession, the right to sue and be sued, defend and be defended in all the courts of this State; to purchase, lease, receive and hold property, both real and personal, for the use and benefit of the inhabitants of the town, and may dispose of the same when it is for the common benefit to do so; may buy or construct ditches, dams, flumes, aqueducts and lay pipes to convey water into town for protection against fires; to supply the inhabitants with pure water for domestic purposes and for other legitimate beneficial uses, and for this purpose may extend its works and own property beyond the limits of the incorporation, but for this purpose shall not have power to create a bonded indebtedness to exceed thirty thousand dollars; *provided*, that the proposition of issuing any bonds for any purpose whatever shall be first submitted to the qualified voters within the corporate limits, and no person shall be deemed a qualified voter for this purpose who does not have the qualifications of a voter within this State and who is not a resident property holder within the corporate limits, and no bonds shall be issued except that a majority of all the votes cast shall be in favor thereof; shall have and use a common seal and may alter the same at pleasure.

THIRD AMENDMENT.

That section 22 be amended by striking out the whole thereof and substituting in lieu thereof the following:

Section 22. That inasmuch as the town of Grant's Pass is without any local government, this Act shall take effect from and after its approval by the Governor.

And the amendments were read and Mr. Mitchell moved to adopt. Mr. Daly offered an amendment to the amendments as follows:

AMENDMENT.

Strike out the words thirty thousand and substitute the words two thousand.

Mr. Mitchell moved to table the amendment.

The motion carried and carried the bill with it to the table.

House bill No. 256 read second time.

On motion of Mr. Noyer, referred to committee on counties.

House bill No. 257 read second time.

On motion of Mr. Paulsen, referred to committee on agriculture.

Mr. Culver moved that the judiciary committee be allowed to report on house bill No. 225.

Carried.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 8, 1887. }

Mr. Speaker: Your committee on judiciary, to whom was referred house bill No. 225, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

S. R. HARRINGTON,
Chairman.

The bill was considered engrossed and went to its third reading.

On motion of Mr. Munger, committee on Chinese labor reported house bill No. 156 with amendments.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 8, 1887. }

Your joint committee on Chinese labor, to whom was referred house bill No. 156, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass, with the following amendment:

R. P. BIRD,
W. MUNGER,
R. M. VEATCH,
E. E. TAYLOR,
Committee.

AMENDMENT.

Strike out all after the enacting clause and insert the following:

Section 1. That from and after the passage of this Act it shall be unlawful for any alien who cannot become a citizen of the State of Oregon to buy or lease any real estate or mining claim.

Section 2. That any lease, deed, conveyance or other evidence of purchase or title, either written or verbal, for any real estate or mining claim, drawn, executed, given or made from and after the passage and approval of this Act shall be null and void.

Section 3. That any person leasing or attempting to transfer any lease or other evidence of ownership of real estate or mining claim to any alien who cannot become a citizen of the State of Oregon shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not less than one hundred dollars (\$100) nor more than one thousand dollars (\$1000) or imprisonment not less than thirty days nor more than five years, or both fine and imprisonment.

Section 4. Inasmuch [as] this law is a great necessity, it shall be in force and take effect from and after the approval of the Governor.

Mr. McLean was granted permission to present a minority report, as follows:

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 8, 1887. }

Mr. Speaker: The undersigned, a minority report of your special committee on Chinese labor, to whom was referred house bill No. 156, beg leave to submit the following report thereon:

A careful examination of the bill proves it to be one prejudicial to the best interests of the State. The laws of our State must conform to the constitution of the United States, and to such laws as congress may from time to time enact. Under solemn treaties, the Chinese are assured of the same privileges accorded to citizens of the most favored nation, and this is the law of the land. Any law which we may enact in conflict with the Act of congress is not worth the paper on which it is written. To attempt to enforce any law of the nature of house bill No. 156 can only result in serious injury to the State. It may do to theorize on the doctrine of States' rights, but four years of bloody war has settled the question practically, and we must recognize the fact that the law of Oregon must conform to the law of the United States. Whether the Chinese are desirable or not docs not enter into this question at all. It is a matter of contract entered into between our own Nation and China, and Oregon cannot impair the validity of that contract by any act of its legislature. This bill should not pass, and as a minority we enter our protest against this effort to pander to the prejudice and unreasoning request of ignorant people.

Respectfully submitted,

[Signed]

ROBERT McLEAN.

Mr. Daly moved the adoption of the majority report on house bill No. 156.

Mr. Harrington moved to amend by having both majority and minority reports printed.

The amendment and the motion to amend was carried, and as amended the motion to adopt prevailed.

The committee on Chinese labor made the following report on house bill No. 213:

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, January 28, 1887. }

Mr. Speaker: Your committee on Chinese labor, to whom was referred house bill No. 213, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass, with following

AMENDMENT.

Wherever the word Chinaman occurs strike out the word Chinaman and insert the words "alien who cannot become a citizen of Oregon" in lieu thereof.

R. P. BIRD,
W. MUNGER.

The amendment was adopted on motion of Mr. Noyer, and the bill ordered engrossed.

The committee on labor made the following report on house bill No. 117:

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 3, 1887. }

Mr. Speaker: Your committee on labor, to whom was referred house bill No. 117, entitled a bill for an Act to establish what number of hours shall constitute one day's work and regulating other matters pertaining thereto, beg leave to report that they have had the same under consideration and would respectfully report it back to the house with the recommendation that it do pass.

WM. MUNGER,
Chairman.

THOS. PAULSEN,
Secretary *pro tem*.

House bill No. 258 read second time.

Mr. Noyer moved to refer to committee on claims with leave to report at any time.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Roberts, Richardson, Stafford, Swank, Summers, Smith, Taylor, Vanderpool, Wilcox, Mr. Speaker—53.

Nays—Messrs. Haley, Thompson—2.

Absent—Messrs. Biggs, Blevins, Mackay, Paulsen, Wilson—5.

So house bill No. 258 was referred to the committee on claims with leave to report at any time.

Mr. Hale moved to suspend the rules and read senate bill No. 133 second time now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Roberts, Richardson, Summers, Smith, Thompson, Taylor, Vanderpool, Wilcox, Mr. Speaker—53.

Nays—None.

Absent—Messrs. Biggs, Crook, Mayer, Paulsen, Stafford, Swank, Wilson—7.

Senate bill No. 133 was read second time.

Mr. Daly moved to refer to committee on internal improvements with leave to report at any time.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blundell, Bowditch, Bilyeu, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Roberts, Richardson, Swank, Summers, Thompson, Taylor, Vanderpool, Wilcox, Mr. Speaker—52.

Nays—Messrs. Holmes, Stafford, Smith—3.

Absent—Messrs. Benjamin, Biggs, Mackay, Paulsen, Wilson—5.

So senate bill No. 133 was referred to committee on internal improvement, with leave to report at any time.

Permission to take house bill No. 20 out of its order was denied.

The Chair announced third reading of house bills.

THIRD READING OF HOUSE BILLS.

House bill No. 65 read third time.

“Shall the bill pass?”

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Crook, Culver, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hicks, Harris, Harrington, Holmes, Haley, Kruse, Lafollett of Marion, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Munger, McKenzie, Mackay, McCully, Osborn, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—45.

Nays—Messrs. Blevins, Crockett, Hansard, Johnson, Lockett, Lafollett of Yamhill, Mitchell, McLean, Noyer, Palmer, Pendleton, Paulsen—12.

Absent—Messrs. Biggs, Miller of Linn, Pomeroy—3.

So house bill No. 65 passed and the title of the bill stood for the title of the Act.

House bill No. 6 read third time.

“Shall the bill pass?”

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blundell, Bilyeu, Daly, Hale, Henry, Hansard, Holmes, Haley, Lockett, Miller of Linn, Munger, McKenzie, Noyer, Palmer, Pendleton, Richardson, Stafford, Thompson, Taylor, Mr. Speaker—20.

Nays—Messrs. Benjamin, Bowditch, Blevins, Crook, Culver, Crockett, Davis, Gard, Gubser, Goodsell, Gay, Holland, Hicks, Harris, Johnson, Kruse, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Mitchell, McLean, Mackay, McCully, Osborn, Pomeroy, Paulsen, Roberts, Swank, Summers, Smith, Vanderpool, Wilson, Wilcox—38.

Absent—Messrs. Biggs, Harrington—2.

So house bill No. 6 failed to pass.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 8, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed house bill No. 218, being a bill for an Act to amend section 5 of an Act to redistrict the State into judicial districts and provide for time and place of holding court.

And the same is herewith transmitted to you for enrollment.

E. G. HURSH,
Chief Clerk.

Mr. Noyer moved to adjourn.
Lost.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 8, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed house bill No. 14, being a bill for an Act prescribing the times and places of holding the terms of the circuit court in the seventh judicial district.

And the same is herewith transmitted to you for enrollment.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 8, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed house bill No. 3, being a bill for an Act to create the county of Wallowa and to fix the salaries of county judge and treasurer thereof.

And the same is herewith transmitted to you for enrollment.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 8, 1887. }

Mr. Speaker: I am directed by the President to inform you that the Senate has passed senate bill No. 102, being a bill for an Act to amend the Act incorporating the city of Silverton.

And the same is herewith transmitted with petitions to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

And the bill was read first time and passed to second reading without question.

Mr. Hicks moved to suspend the rules and read senate bill No. 102 second time now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blundell, Bowditch, Bilyeu, Blevins, Culver, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Maxwell, Miller of Jackson, Miller of Linn, McLean, McKenzie, Mackay, McCully, Osborn, Pomeroy, Palmer, Pendleton, Richardson, Swank, Summers, Taylor, Vanderpool, Wilcox, Mr. Speaker—45.

Nays—Messrs. Noyer, Paulsen, Roberts, Smith—4.

Absent—Messrs. Benjamin, Biggs, Crook, Crockett, Johnson, Mayer, Mitchell, Munger, Stafford, Thompson, Wilson—11.

So senate bill No. 102 was read second time, and on motion of Mr. Hicks was referred to the Marion county delegation.

Mr. Roberts moved that when the house adjourn it shall adjourn to 7:30 P. M.

Mr. Paulsen offered an amendment by saying to consider local bills on which there is no opposition.

The amendment was accepted, and the amended motion was lost.

By consent, the house returned to house bills introduced.

By Mr. Bowditch. House bill No. 259, repealing certain sections miscellaneous laws of Oregon and providing clerical aid for Secretary of State.

By Mr. Mayer. House bill No. 260, to provide for the safety of passengers on railroads in Oregon.

By Mr. Daly. House bill No. 261, to amend Act incorporating the town of Dallas in Polk county, Oregon.

By Mr. Goodsell. House bill No. 262, for the relief of T. G. Harkness.

By Mr. Goodsell. House bill No. 263, to set off part of Clackamas county and annex to Multnomah county.

By Mr. Goodsell. House bill No. 264, for the relief of P. F. Castleman.

By Mr. Holland. House bill No. 265, to reimburse various counties of this State for moneys paid for the extermination of black-tail rabbits.

On motion of Mr. Bilyeu, the house adjourned.

WEDNESDAY, FEBRUARY 9, 1887.

MORNING SESSION.

HOUSE OF REPRESENTATIVES, }
SALEM, February 9, 1887. }

House called to order at 9:30 A. M., the Speaker in the chair.

Prayer by the Rev. J. W. Harris of Salem.

The roll was called and those absent were Messrs. Biggs, Mayer, Mackay, McCully and Noyer.

Mr. Bilyeu moved to dispense with reading the journal.

The motion carried.

Mr. Pomeroy moved to suspend the rules and read house bill No. 259 first time by title only.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Blevins, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Mayer, Maxwell, Miller of Linn, Mitchell, McLean, McKenzie, McCully, Osborn, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—47.

Nays—None.

Absent—Messrs. Biggs, Crook, Culver, Holland, Hale, Henry, Laughlin, Little, Miller of Jackson, Munger, Mackay, Noyer, Pomeroy—13.

So the rules were suspended and house bill No. 259 was read first time by title only and went to Printer.

Mr. Pomeroy moved to suspend the rules and read house bill No. 260 first time by title only.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Blevins, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Mayer, Maxwell, Miller of Linn, Mitchell, McLean, McKenzie, McCully, Osborn, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—47.

Nays—None.

Absent—Messrs. Biggs, Crook, Culver, Holland, Hale, Henry, Laughlin, Little, Miller of Jackson, Munger, Mackay, Noyer, Pomeroy—13.

So the rules were suspended and house bill No. 260 was read first time by title only.

Mr. Mayer moved to further suspend the rules and read house bill No. 260 a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Culver, Crockett, Daly, Gard, Gubser, Goodsell, Gay, Holmes, Kruse, Lockett, Mayer, McLean, McKenzie, McCully, Palmer, Roberts, Stafford, Taylor, Wilcox, Mr. Speaker—24.

Nays—Messrs. Blevins, Davis, Henry, Hansard, Hicks, Harris, Harrington, Haley, Johnson, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Miller of Linn, Mackay, Pendleton, Paulsen, Richardson, Swank, Summers, Smith, Thompson, Vanderpool, Wilson—25.

Absent—Messrs. Biggs, Crook, Holland, Hale, Maxwell, Miller of Jackson, Mitchell, Munger, Noyer, Osborn, Pomeroy—11.

So the house refused to suspend the rules and house bill No. 260 passed to second reading and Printer.

Mr. Pomeroy moved to suspend the rules and read house bill No. 261 first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Biggs, Blevins, Crook, Davis, Daly, Gard, Gubser, Goodsell, Gay, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Mayer, Maxwell, Miller of Linn, Mitchell, McLean, McKenzie, McCully, Osborn, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—47.

Nays—None.

Absent—Messrs. Bilyeu, Crook, Culver, Holland, Hale, Henry, Laughlin, Little, Miller of Jackson, Munger, Mackay, Noyer, Pomeroy—13.

So the rules were declared suspended and house bill No. 261 was read first time by title only.

Mr. Pomeroy moved the rules be suspended and house bill No. 262 read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Blevins, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Mayer, Maxwell, Miller of Linn, Mitchell, McLean, McKenzie, McCully, Osborn, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—47.

Nays—None.

Absent—Messrs. Biggs, Crook, Culver, Holland, Hale, Henry, Laughlin, Little, Miller of Jackson, Munger, Mackay, Noyer, Pomeroy—13.

So the rules were suspended and house bill No. 262 was read first time by title only, and went to Printer.

Mr. Pomeroy moved to suspend the rules and read house bill No. 263 first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bilyeu, Bowditch, Blevins, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Mayer, Maxwell, Miller of Linn, Mitchell, McLean, McKenzie, McCully, Osborn, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—47.

Nays—None.

Absent—Messrs. Biggs, Crook, Culver, Holland, Hale, Henry, Laughlin, Little, Miller of Jackson, Munger, Mackay, Noyer, Pomeroy—13.

So the rules were suspended and house bill No. 263 was read first time by title only and passed to second reading and Printer.

Mr. Pomeroy moved to suspend the rules and read house bill No. 264 first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Blevins, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Mayer, Maxwell, Miller of Linn, Mitchell, McLean, McKenzie, McCully, Osborn, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—47.

Nays—None.

Absent—Messrs. Biggs, Crook, Culver, Holland, Hale, Henry, Laughlin, Little, Miller of Jackson, Munger, Mackay, Noyer, Pomeroy—13.

So the rules were suspended and house bill No. 264 was read first time by title only and ordered printed and passed to second reading.

Mr. Pomeroy moved to suspend the rules and read house bill No. 265 by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Blevins, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Mayer, Maxwell, Miller of Linn, Mitchell, McLean, McKenzie, McCully, Osborn, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—47.

Nays—None.

Absent—Messrs. Biggs, Crook, Culver, Holland, Hale, Henry, Laughlin, Little, Miller of Jackson, Munger, Mackay, Noyer, Pomeroy—13.

So the rules were suspended and house bill No. 265 was read first time by title only and passed to second reading.

By previous notice Mr. Thompson introduced house bill No. 266, to repeal Act to prevent deception in dairy products.

Read first time.

By consent Mr. Goodsell introduced house bill No. 267, to provide for appointment of harbor master on Willamette river at Portland.

Read first time.

By consent Mr. McLean introduced house bill No. 268, to establish and support a bureau of labor statistics.

Read first time.

Mr. Munger moved to suspend the rules and read house bill No. 268 second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bilyeu, Biggs, Crook, Culver, Crockett, Daly, Gard, Goodsell, Gay, Holland, Hale, Henry, Hansard, Harris, Haley, Lockett, Maxwell, Miller of Jackson, Mitchell, McLean, Munger, McKenzie, Noyer, Osborn, Palmer, Paulsen, Roberts, Stafford, Vanderpool, Wilson, Mr. Speaker—32.

Nays—Messrs. Gubser, Hicks, Harrington, Holmes, Johnson, Kruse, Lafollett of Marion, Lafollett of Yamhill, Layman, Laugh-

lin, Miller of Linn, Mackay, McCully, Pomeroy, Pendleton, Richardson, Smith, Taylor—18.

Absent—Messrs. Bowditch, Blevins, Davis, Henry, Little, Mayer, Swank, Summers, Thompson, Wilcox—10.

So the house refused to suspend the rules and house bill No. 268 passed to second reading in order.

MESSAGE FROM THE GOVERNOR.

STATE OF OREGON,
EXECUTIVE DEPARTMENT, }
SALEM, February 9, 1887.

To the Honorable the House of Representatives, State of Oregon:

I herewith return house bill No. 32 with my dissent.

This is a bill amendatory of an Act providing for water commissioners in the city of Portland, approved November 25, 1885. By the provisions of the Act referred to the water commissioners designated therein were authorized and empowered to issue bonds to the amount of \$700,000 for the purpose of providing water works for the city, and such Act further provided that "all bonds issued and disposed of under this Act shall be exempt from taxation either by the State or any county or any municipal corporation therein." The bill now returned by me is amendatory of section 153 of that Act and provides for the issuance of \$1,200,000 in thirty-year bonds instead of the \$700,000 provided for in the Act amended, on the same conditions, however, of their being non-taxable by State, county or city.

Section 1, article 9 of the constitution of the State of Oregon provides as follows: "The legislative assembly shall provide by law for uniform and equal rate of assessment and taxation; and shall prescribe such regulations as shall secure a just valuation for taxation of all property, both real and personal, excepting such only for municipal, educational, literary, scientific, religious and charitable purposes as may be specially exempted by law."

Under the provision of this section of our State constitution the legislative assembly can exempt municipal property from taxation but there is no provision by which it can both exempt such property and the money or bonds with which it has been purchased. The "water committee," under the Act creating them, have recently purchased from the Portland Water Company their entire property, paying therefor, in the bonds which they were authorized to issue, the sum of \$450,000.

This property while it was owned by the water company was subjected to State, county and municipal taxation. Since it has been purchased by and for the city such property is exempt by the constitution from being taxed. But in addition to this exemption of \$450,000, the value of the water works purchased, the Act creating the "water committee" declared that the bonds issued by the city for such payment should also be exempt from taxation. Hence there is under the Act aforesaid \$900,000, or twice the amount of the municipal property purchased exempted. There is no provision in the constitution of Oregon that will warrant such an enactment. That instrument provides for the exemption of municipal property from being taxed, but it does not anywhere provide that twice the amount of that property shall be exempted. These bonds, after they have been paid out by the committee, for the purchase of municipal property pass, of course, into private hands, and become private property; and the legislature of Oregon under our State constitution can no more exempt these certain bonds, which are owned by bankers in the city of Portland, from taxation, than they can exempt certain lands that are owned by farmers in Polk county from taxation. They are private property and they can be exempt from taxation no more than can any and all other private property. This proposition is clear and unanswerable.

The section of the constitution before referred to provides "for uniform and equal rates of assessment and taxation." How can there be an equal rate of taxation when one person has \$10,000 in water bonds that pay no tax and his neighbor \$10,000 in real estate that is subject to full taxation, State county and municipal? The fact that these bonds after they have passed into the hands of private parties are in no sense of the word municipal property, but that they are private property is so plain and self-evident as to need no argumentation whatever. And the further fact that, being private property, they cannot be exempt from taxation is as equally clear and conclusive. The provision of the law under which these bonds provided for in this bill being plainly without any warrant in the constitution, I am compelled by my oath of office to withhold my assent.

There are other provisions of the bill which are almost equally repugnant. The Act creating this water committee called into legal existence a self-instituted oligarchy of moneyed magnates and clothed them with the power of taxing the people of the city of Portland \$700,000, while giving to the people thus taxed no voice whatever in the matter.

Such an enactment was in conflict not only with the spirit of our republican institutions, but was also in defiance of the express let-

ter of our constitution. It not only taxed the people of a municipality without their consent, but it created offices beyond the constitutional tenure and exempted a peculiar species of property from taxation. Our republican institutions were brought into existence by the heroic devotion of our ancestors, who sacrificed their lives and their fortunes in upholding the doctrine that "there should be no taxation without representation," and will the legislative assembly of Oregon at this time adopt and uphold a doctrine against which our patriotic forefathers successfully rebelled?

The entire Act creating the water commission being alike repugnant to our republican institutions and to the plain letter of our State constitution, it is my imperative duty to return the same to you with my disapproval. I veto the bill.

SYLVESTER PENNOYER,
Governor.

I hereby certify the foregoing to be a true copy of the original message.

A. C. JENNINGS,
Chief Clerk.

VETOED HOUSE BILL NO. 32.

An Act to amend an Act entitled "An Act to amend an Act entitled 'An Act to incorporate the city of Portland,' approved November 25, 1885."

Be it enacted by the Legislative Assembly of the State of Oregon:

Section 1. Section 153 of said Act is hereby repealed and the following enacted in place thereof:

Section 153. For the purpose of carrying this Act into effect, the committee is authorized to issue and dispose of the bonds of the city of the denomination of from \$100 to \$1,000, as the purchaser may desire, with interest coupons attached thereto—the par value of which shall not exceed in the aggregate the sum of twelve hundred thousand (1,200,000) dollars—the same to be signed by its chairman and countersigned by its clerk, whereby the city shall be held and considered in substance and effect to undertake and promise in consideration of the premises to pay to the bearer of each of the said bonds at the expiration of thirty (30) years from the day thereof the sum named therein in gold coin of the United States, together with interest thereon in like coin at the rate of five (5) per centum per annum payable half-yearly, as provided in said coupons.

Section 2. Inasmuch as there is a present need that the committee have the power to issue and dispose of the bonds of the city

as in this Act provided, the same shall take effect from the date of its passage.

Passed the house, February 4, 1887.

(Signed)

J. T. GREGG,
Speaker of the House.

Passed the senate, February 4, 1887.

(Signed)

J. C. CARSON,
President of the Senate.

Mr. Wilson moved to postpone the reconsideration of vetoed house bill No. 32 till 10 o'clock A. M. to-morrow and the house sustained the motion.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 8, 1887. }

Mr. Speaker: Your committee on internal improvement, to whom was referred senate bill No. 133, with leave to report at any time, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

J. M. STAFFORD,
Chairman.

And the bill was considered engrossed and passed to third reading.

Mr. Harrington moved to take up reports of all committees.

Carried.

Committees reported as follows:

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 9, 1887. }

Mr. Speaker: Your committee on enrolled bills, to whom was referred house bill No. 218, beg leave to report the same back to the house as correctly enrolled.

JOHN WILSON,
Chairman.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 9, 1887. }

Mr. Speaker: Your committee on enrolled bills, to whom was

referred house bill No. 14, beg leave to report the same back to the house as correctly enrolled.

JOHN WILSON,
Chairman.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, February 9, 1887. }

Mr. Speaker: Your committee on engrossed bills, to whom was referred house bill No. 198, beg leave to report the same back to the house as correctly engrossed.

J. H. ROBERTS,
Chairman.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, February 9, 1887. }

Mr. Speaker: Your committee on engrossed bills, to whom was referred house bill No. 108, beg leave to report the same back to the house as correctly engrossed.

J. H. ROBERTS,
Chairman.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, February 7, 1887. }

Mr. Speaker: Your committee on ways and means, to whom was referred house bill No. 212, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

W. F. BENJAMIN,
Chairman.

And the bill was ordered considered engrossed and passed to third reading.

The Chair announced that he was about to sign house bills Nos. 218 and 14, and subsequently that he had signed them.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, February 7, 1887. }

Mr. Speaker: Your committee on education, to whom was referred house bill No. 147, beg leave to report that they have had the

same under consideration, and would respectfully report it back to the house with the following amendment, to-wit:

AMENDMENT.

"Insert in line 10 of printed bill after the word 'thereof' at the end of section 55 in section 1 of said bill the words 'and of all moneys received by such clerk or clerks from other sources than as provided in this Act shall receive two per centum thereof.'"

And with this amendment recommend that it do pass.

J. E. BLUNDELL,
Chairman.

On motion of Mr. Roberts, the amendment was adopted and the bill ordered engrossed.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 8, 1887. }

Mr. Speaker: Your committee on education, to whom was referred house bill No. 4, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the following amendment, to-wit:

AMENDMENT.

In section 4 of the original bill, line 4 thereof, strike out the word "one-fifth" and insert in lieu thereof the word "one-seventh."

The amendment herein proposed is accepted by the mover of the bill.

The amendment made in committee of the whole to this bill meets the approval of your committee on education and with the amendments proposed recommend that house bill No. 4 do pass.

J. E. BLUNDELL,
Chairman.

On motion of Mr. Benjamin, the house adopted the amendment and the bill was ordered engrossed.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 3, 1887. }

Mr. Speaker: Your committee on education, to whom was referred house bill No. 59, beg leave to report that they have had the

same under consideration, and would respectfully report it back to the house with the following amendments:

FIRST AMENDMENT.

In line 10, section 37, subdivision 3 of the printed bill, after the word "and" in said line insert the word "shall;" also in said line 10, between the words "the" and "purchaser" strike out the words "district to" and insert instead thereof the following words: "Legal voters present at any legally called school meeting."

SECOND AMENDMENT.

Also, in line 11 of printed bill, in subdivision 3 of section 37, after the word "schoolhouses" strike out "and to," and after the words "school purposes," in same line 11, strike out the words "and to."

With these amendments, would recommend that it do pass.

J. E. BLUNDELL,
Chairman.

On motion of Mr. Blundell, the amendments were adopted and the bill was ordered engrossed.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, February 7, 1887. }

Mr. Speaker: Your committee on education, to whom was referred house bill No. 60, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

J. E. BLUNDELL,
Chairman.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, February 7, 1887. }

Mr. Speaker: Your committee on education, to whom was referred house bill No. 72, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendments, to-wit:

FIRST AMENDMENT.

On page 5 of printed bill in line 98, after the words "per day," insert the following words, "for the time actually employed in conducting the quarterly examinations hereafter provided for."

SECOND AMENDMENT.

On page 7 of printed bill in line 157 strike out the word "salary" and insert in lieu thereof the word "fees;" also in same line on page 7 of printed bill, after the words "county superintendent," strike out the words "from fees."

THIRD AMENDMENT.

Also in line 159 on page 7 of printed bill strike out the word "reporting," and after the words "in his county," in said line 159 on said page 7 of printed bill, insert the following words, "making the usual annual report as required by law and as set forth in section 42 of the school laws."

FOURTH AMENDMENT.

In line 233 on page 10 of printed bill, after the word "court," insert in said line 233 the following words, "*And provided further*, that the county superintendent shall devote his entire time to the discharge of the duties of his office."

J. E. BLUNDELL,
Chairman.

On motion of Mr. Blundell, the house adopted the amendments to house bill No. 72 and the bill was ordered engrossed.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, February 8, 1887. }

Mr. Speaker: Your committee on judiciary, to whom was referred house bill No. 252, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendment, viz.:

AMENDMENT.

After the word "demands," in the sixth and seventh lines of the first page of the original bill, insert the following, viz.: "*Provided*, that any such corporation may change the character of its deposit at any time by depositing other bonds of the kind and description in this section authorized to be deposited."

S. R. HARRINGTON,
Chairman.

The amendments to house bill No. 252 were adopted, on motion of Mr. Harrington, and the bill was ordered engrossed.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, February 3, 1887. }

Mr. Speaker: Your committee on judiciary, to whom was referred house bill No. 151, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do not pass.

S. R. HARRINGTON,
Chairman.

The bill was ordered considered engrossed and passed to third reading.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, February 8, 1887. }

Mr. Speaker: Your committee on judiciary, to whom was referred senate bill No. 92, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

S. R. HARRINGTON,
Chairman.

The bill was ordered considered engrossed and passed to third reading.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, February 8, 1887. }

Mr. Speaker: Your committee on judiciary, to whom was referred senate bill No. 156, beg leave to report that they have had

the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendment, viz:

FIRST AMENDMENT.

Strike out the word "day" in the 19th line of the first page of the original bill and insert the word "Monday" in the place thereof.

SECOND AMENDMENT.

After the word "March" in the 19th line insert the words "the third Monday of July."

THIRD AMENDMENT.

Strike out the word "day" in the 22d line and insert the word "Monday" in the place thereof.

FOURTH AMENDMENT.

After the word "county" in the first line of the second page insert the words "and the July term in Washington county."

S. R. HARRINGTON,
Chairman.

And on motion of Mr. Paulsen the amendments to house bill No. 156 were adopted.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 5, 1887. }

Mr. Speaker: Your committee on judiciary, to whom was referred house bill No. 97, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendments.

FIRST AMENDMENT.

Amend the title of the bill by inserting after the word "procedure," in the fourth line of the first page of the original bill, the following: "And section 937, title 3 of chapter 12 of the code of

civil procedure, as amended by section 7 of the Act approved February 24, 1885, entitled an Act to amend section 914 of title 1 of chapter 12, and sections 926, 929, 931, 932 and 937 of title 3 of said chapter 12 of the code of civil procedure, as compiled by Matthew P. Deady and Lafayette Lane; and also to amend sections 31, 34 and 38, and to repeal section 33 of chapter 5 of title 1 of the code of criminal procedure, as compiled by said Deady and Lane."

SECOND AMENDMENT.

Add the following section to the bill, viz.:

Section 2. That section 937, title 3 of chapter 12 of the code of civil procedure, as amended by section 7 of the Act approved February 24, 1885, entitled an Act to amend section 914 of title 1 of chapter 12, and sections 926, 929, 931, 932 and 937 of title 3 of said chapter 12 of the code of civil procedure, as compiled by Matthew P. Deady and Lafayette Lane.

THIRD AMENDMENT.

Also, to amend sections 31, 34 and 38 and to repeal section 33 of chapter 5 of title 1 of the code of criminal procedure, as compiled by said Deady and Lane, be amended so as to read as follows, viz.:

Section 937. Whenever for any reason the number of jurors either in whole or in part, required by this code, do not attend a term of court the court has power either to order the clerk to draw from the jury box of the county in open court the names of the requisite number of persons to fill up the panel or it may direct the sheriff to summon forthwith from the body of the county persons having the qualifications to serve as such during the term. If the clerk is ordered to draw such names from the jury of the county he shall draw them as is prescribed by law for drawing the regular panel, excepting that no sheriff or justice of the peace need be called to his assistance. When such drawing is completed the clerk shall certify the names of the persons so drawn to the sheriff of the county, who shall immediately summon them to appear forthwith at court to serve as jurors during the term. The sheriff shall make return of the persons summoned by him to the clerk, who shall deposit the names of such persons in the trial jury box as part of the regular panel and as the names of the regular panel are deposited therein.

S. R. HARRINGTON,
Chairman.

On motion of Mr. Harrington, the amendments were adopted and the bill ordered engrossed.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 3, 1887. }

Mr. Speaker: Your committee on judiciary, to whom was referred house bill No. 39, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following

AMENDMENT.

After the word "situated" in the 11th line of the 4th page of the original bill insert the following:

And such homestead shall not be alienated or encumbered in any manner without the joint consent of both husband and wife, when that relation exists; *provided*, that in case such homestead exceeds in value the sum of three thousand dollars, execution may be levied upon all such lots or parts of lots or number of acres therein contained in excess of three thousand dollars in value, and the same may be sold except that the residence so claimed and occupied as such homestead with sufficient ground for the convenient occupation of the same shall be exempt from such levy and sale without regard to its value.

S. R. HARRINGTON,
Chairman.

And the house adopted the amendments on motion of Mr. Harrington, and ordered the bill engrossed.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 3, 1887. }

Mr. Speaker: Your committee on judiciary, to whom was referred house bill No. 144, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendments, viz.:

FIRST AMENDMENT.

After the words "An Act to amend an Act" in the second line of the first page of the original bill insert the following, viz.: "Approved October 21, 1882, entitled 'An Act.'"

SECOND AMENDMENT.

After the word "Act" in the ninth line of the first page of the original bill insert the following, viz.: "Approved October 21, 1882, entitled 'An Act.'"

S. R. HARRINGTON,
Chairman.

The house adopted the amendments, on motion of Mr. Bilyeu, and the bill was ordered engrossed.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, February 8, 1887. }

Mr. Speaker: Your committee on judiciary, to whom was referred house bill No. 200, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendments, viz.:

FIRST AMENDMENT.

Strike out the word "fifteenth" in the eleventh line of the second page of the original bill and insert the word "first" in the place thereof.

SECOND AMENDMENT.

Strike out the word "first" in the twelfth line of the second page and insert the word "fifteenth" in its place.

THIRD AMENDMENT.

Strike out the word "September" in the eleventh line of the second page and insert the word "March" in place thereof.

FOURTH AMENDMENT.

Strike out the word "March" in the twelfth line of the second page and insert the word "September" in place thereof.

S. R. HARRINGTON,
Chairman.

On motion of Mr. R. A. Miller, the amendments to house bill No. 200 were adopted and the bill was ordered engrossed.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 8, 1887. }

Mr. Speaker: Your committee on judiciary, to whom was referred house bill No. 37, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

S. R. HARRINGTON,
Chairman.

The bill was considered engrossed and passed to third reading.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 8, 1887. }

Mr. Speaker: Your committee on judiciary, to whom was referred house bill No. 68, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following

AMENDMENT.

After the word "banks" in the 11th line of the 2d page of the original bill insert the following, viz.: "*Provided*, that nothing herein contained shall be so construed as to render the owner of such stream or bank in any way chargeable with the cost of maintaining or preserving such banks.

S. R. HARRINGTON,
Chairman.

And Mr. Bilyeu moved the adoption of the amendments to house bill No. 68, and the motion prevailed and the bill was ordered engrossed.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 8, 1887. }

Mr. Speaker: Your committee on judiciary, to whom was referred house bill No. 84, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house without recommendation.

S. R. HARRINGTON,
Chairman.

And the bill was considered engrossed and passed to third reading.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 8, 1887. }

Mr. Speaker: Your committee on judiciary, to whom was referred house bill No. 253, beg leave to report that they have had the same under consideration, and would respectfully report that under decisions of the supreme court of this State the bill is not unconstitutional, but your committee respectfully reports the bill back without recommendation as to its merits.

S. R. HARRINGTON,
Chairman.

And the bill was considered engrossed and passed to third reading.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 8, 1887. }

Mr. Speaker: Your committee on judiciary, to whom was referred house bill No. 126, beg leave to report that they have had the same under consideration, and would respectfully report that under the decisions of the supreme court of this State the bill is not unconstitutional, but your committee respectfully reports the bill back without recommendation as to its merits.

S. R. HARRINGTON,
Chairman.

And the bill was considered engrossed and passed to third reading.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, February 8, 1887. }

Mr. Speaker: Your committee on judiciary, to whom was referred house bill No. 50, beg leave to report that they have had the same under consideration, and would respectfully report that under the decisions of the supreme court of this State the bill is not unconstitutional, but your committee respectfully reports the bill back without recommendation as to his merits.

S. R. HARRINGTON,
Chairman.

And the bill was considered engrossed and passed to third reading.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, February 8, 1887. }

Mr. Speaker: Your committee on judiciary, to whom was referred house bill No. 189, beg leave to report that they have had the same under consideration, and would respectfully report that under the decision of the supreme court of this State the bill is not unconstitutional, but your committee respectfully reports the bill back without recommendation as to its merits.

S. R. HARRINGTON,
Chairman.

And the bill was considered engrossed and passed to third reading.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, February 8, 1887. }

Mr. Speaker: Your committee on judiciary, to whom was referred house bill No. 129, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the following amendments, viz.:

FIRST AMENDMENT.

Strike out the word "twenty" in the seventh line of the first page of the original bill and insert the word "fifteen" in the place thereof.

SECOND AMENDMENT.

Strike out the figures "20,000" in the eighth line of the first page and insert the figures "15,000" in the place thereof.

THIRD AMENDMENT.

Strike out the word "twenty" in the eighteenth line of the first page and insert the word "fifteen" in the place thereof.

FOURTH AMENDMENT.

Strike out the word "constructing" in the twenty-first line of the first page and insert the word "opening" in the place thereof.

FIFTH AMENDMENT.

Strike out the words "mail route or as near as practicable" in the twenty-second and twenty-third lines of the first page and insert in the place thereof "survey of the public road."

SIXTH AMENDMENT.

Strike out the following portion, viz.: From and inclusive of the first word "as" in the fifth line of the fifth page to and inclusive of the word "opened" in the ninth line of the same page.

SEVENTH AMENDMENT.

After the word "commissioners" in the twelfth and thirteenth line of the fifth page insert the following, viz.: "As soon as practicable after the passage of this Act;" and after the word "river" in the sixteenth line of the fifth page insert the following, viz.: "And one-half between Ellensburg and Chetco."

EIGHTH AMENDMENT.

Strike out the words "when completed" in the fourteenth and fifteenth lines of the sixth page.

NINTH AMENDMENT.

Strike out the word "become" in the fifteenth line of the sixth page and insert the word "continue" in the place thereof.

Your committee respectfully report that under the decisions of the supreme court of this State the bill is not unconstitutional, but your committee reports the bill back without any recommendation as to its merits.

S. R. HARRINGTON,
Chairman.

The amendments were adopted on motion of Mr. Benjamin, and the bill was ordered engrossed.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 8, 1887. }

Mr. Speaker: Your committee on judiciary, to whom was referred house bill No. 249, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

S. R. HARRINGTON,
Chairman.

And the bill was considered engrossed and passed to third reading.

Mr. Haley moved house bill No. 249 be made special order for 2 P. M. to-morrow.

Carried.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 8, 1887. }

Mr. Speaker: Your committee on judiciary, to whom was referred house bill No. 226, beg leave to report that they have had the same under consideration, and would respectfully report that under the decision of the supreme court of this State the bill is not unconstitutional, but your committee respectfully reports the bill back without any recommendation as to its merits.

S. R. HARRINGTON,
Chairman.

The bill was considered engrossed and passed to third reading.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 9, 1887. }

Mr. Speaker: Your committee on claims, to whom was referred house bill No. 146, for the relief of J. L. Parrish, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house without recommendation.

W. B. CULVER,
Chairman.

Mr. Culver offered to amend by striking out \$2,500 and inserting \$1,000.

Adopted.

The bill engrossed and passed to third reading.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 9, 1887. }

Mr. Speaker: Your committee on claims, to whom was referred house bill No. 57, to reimburse Grant county for care of insane, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendment.

W. B. CULVER,
Chairman.

AMENDMENT.

In line 1 of section 1, by striking out the figures \$900 50, and substitute \$700 instead.

On motion of Mr. Bowditch, the house adopted the amendment.
Engrossed at desk and passed to third reading.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 8, 1887. }

Mr. Speaker: Your committee on corporations, to whom was referred senate bill No. 119, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

R. R. LAUGHLIN,
Chairman.

And the bill was considered engrossed and passed to third reading.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, February 9, 1887. }

Mr. Speaker: Your committee on corporations, to whom was referred senate bill No. 163, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

R. R. LAUGHLIN,
Chairman.

And the bill passed to third reading.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, February 8, 1887. }

Mr. Speaker: Your committee on roads and highways, to whom was referred senate bill No. 30, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

M. P. GARD,
Chairman.

And the bill passed to third reading in order.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, February 8, 1887. }

Mr. Speaker: Your committee on counties, to whom was referred house bill No. 256, a bill for an Act permitting gates on county roads under certain instructions, having duly considered the same, are of the opinion its passage would work a hardship upon persons wishing to establish gates in accordance therewith or else become a nullity and of no effect, and would therefore respectfully recommend it do not pass.

F. D. McCULLY,
Chairman.

On motion of Mr. Crook, the bill was returned to committee on counties for amendment.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 8, 1887. }

Mr. Speaker: Your committee on counties, to whom was referred house bill No. 254, being a bill for an Act to provide county commissioners for Columbia county, State of Oregon, having duly considered the same, would beg to report the bill back to the house and recommend its passage.

F. D. McCULLY,
Chairman.

And the bill was considered engrossed and passed to third reading.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 8, 1887. }

Mr. Speaker: Your committee on agriculture, to whom was referred house bill No. 216, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the the recommendation that it do not pass.

A. H. CROOK,
Chairman.
E. E. TAYLOR,

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 9, 1887. }

Mr. Speaker: As one of the committee on agriculture, to whom was referred house bill No. 216, entitled "An Act to appropriate money to purchase land for the State agricultural college of Oregon," etc., I beg leave to report as follows:

That after duly considering said house bill No. 216 I most respectfully recommend that it do pass. In making this recommendation, differing from the other members of the committee, I beg leave to give my reasons, which are as follows:

First—The bill provides for an appropriation of \$15,000 to purchase 200 acres of land. I consider this of the utmost importance, as the place or farm where it is proposed to build this agricultural college building is entirely too small, being only thirty-five acres. Neither is the character of the soil or location thereof well suited for such agricultural farm.

Second—That the bill provides for the appointment of the members of the board of regents in such a manner that the control thereof will eventually pass into the hands of practical farmers.

Third—Section 5 of said bill provides that the instruction in said college shall only be such as pertains to agricultural and mechanical pursuits. This is a provision which, in my judgment, should have been made long ago. And this provision will make it an agricultural college in fact as well as name, which heretofore I consider has only been in name.

Section 6 provides for such experiments and observations as are intended and provided for in a recent Act of congress. And Oregon will be enabled to reap the very liberal benefits or appropriations made by congress for this purpose.

A. M. LAFOLLETT.

Mr. Paulsen moved to adopt the minority report.

Mr. Davis offered to amend by having both reports printed.

The amendment prevailed and the bill passed to third reading.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 7, 1887. }

Mr. Speaker: Your committee on agriculture, to whom was referred house bill No. 176, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following

AMENDMENT.

Amend by adding to section 1 the following: "*Provided*, that section 1 shall only apply to the counties of Columbia, Tillamook and Clatsop."

A. H. CROOK,
Chairman.

On motion of Mr. Benjamin, the amendment was adopted.

The bill was ordered engrossed and passed to third reading.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 7, 1887. }

Mr. Speaker: Your committee on agriculture, to whom was referred house bill No. 185, beg leave to report that they have had the

same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

A. H. CROOK,
Chairman.

And the bill was considered engrossed and passed to third reading.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 8, 1887. }

Mr. Speaker: Your committee on agriculture, to whom was referred house bill No. 164, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendment:

AMENDMENT.

Amend section 1 by striking out the counties of Linn, Tillamook and Marion.

A. H. CROOK,
Chairman.

On motion of Mr. Mayer, the amendment was adopted.

The bill was amended at the desk and considered engrossed and passed to third reading.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 7, 1887. }

Mr. Speaker: Your committee on agriculture, to whom was referred house bill No. 107, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

A. H. CROOK,
Chairman.

And the bill was ordered considered engrossed and passed to third reading.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, January 28, 1887. }

Mr. Speaker: Your committee on agriculture, to whom was referred house bill No. 81, beg leave to report that they have had the

same under consideration, and would respectfully report it back to the house with the recommendation that it do not pass.

A. H. CROOK,
Chairman.

And the bill was considered engrossed and passed to third reading.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, February 7, 1887. }

Mr. Speaker: Your committee on agriculture, to whom was referred house bill No. 172, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

A. H. CROOK,
Chairman.

And the bill was considered engrossed and ordered passed to its third reading.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, February 7, 1887. }

Mr. Speaker: Your committee on agriculture, to whom was referred senate bill No. 7, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do not pass.

A. H. CROOK,
Chairman.

And the bill was passed to third reading in order.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, February 5, 1887. }

Mr. Speaker: Your committee on assessment and taxation, to whom was referred house bill No. 121, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do not pass.

D. SMITH,
Chairman.

And the bill was ordered considered engrossed and passed to its third reading.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 9, 1887. }

Mr. Speaker: Your special committee, to whom was referred house bill No. 242, a bill for an Act entitling women to hold the office of county school superintendent in the State of Oregon, beg leave to report that that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

THOMAS PAULSEN,
Chairman.

And the bill was ordered considered engrossed and passed to third reading.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 8, 1887. }

Mr. Speaker: Your committee, the delegation from Multnomah county, to whom was referred house bill No. 143, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with amendment submitted.

JOHN WILSON,
Chairman.

AMENDMENT.

Strike out sections 5, 6 and 7 and insert the following:

Section 5. That it shall be the duty of said board to meet and examine all persons who shall desire to carry on the business of a retail apothecary or that of retailing drugs, chemicals or poisons, or of compounding physicians' prescriptions, touching their competency and qualifications, and they, the said board, or a majority of them, shall grant to such persons as may be qualified whole certificates of competency or qualification, which shall entitle the holder thereof either to conduct and carry on the business or to act as a qualified assistant therein as may be expressed upon the said certificate, and such certificate, together with its annual renewal, shall be good and sufficient evidence of registration under this Act. All persons applying for examination for certificates to entitle them to conduct and carry on the retail drug or apothecary business as pro-

prietors or managers thereof must produce satisfactory evidence of having had not less than four years' practical experience in the business. And those applying for examination for certificates as qualified assistants therein must produce evidence of having had not less than two years' experience in said business.

Section 6. That if any person should hereafter engage in the business of an apothecary or pharmacist or of retailing drugs, chemicals and poisons, or of compounding and dispensing the prescriptions of physicians either directly or indirectly without having obtained such certificate as aforesaid, such person shall be liable to a penalty of one hundred dollars (\$100) for each and every week during which they shall continue to carry on the business without such certificate, to be recovered by a suit to be brought before any justice or any competent court in said county by the said board or by any other person.

Section 7. That the foregoing provisions of this Act shall not apply to or affect any person who shall be engaged in the retail drug and apothecary business as a proprietor of the same or as qualified assistant therein at the passage of this Act, except only in so far as relates to registration and fees provided in sections 3, 4 and 6 of this Act.

A qualified assistant engaged in the business at the passage of this Act is one who has had not less than two years of practical experience in the retail drug and apothecary business. All other assistants actually engaged in the business at the passage of this Act shall upon the completion of a like term of two years experience be entitled to registration as qualified assistants without examination.

And on motion of Mr. Munger the amendments were adopted and the bill ordered engrossed.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 9, 1887. }

Mr. Speaker: Your committee on engrossed bills, to whom was referred house bill No. 213, beg leave to report the same back to the house as correctly engrossed.

J. H. ROBERTS,
Chairman.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 8, 1887. }

Mr. Speaker: Your committee, the delegation from Multnomah county, to whom was referred house bill No. 205, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

JOHN WILSON,
Chairman.

And the bill was considered engrossed and passed to third reading.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 8, 1887. }

Mr. Speaker: The Marion county delegation, to whom was referred senate bill No. 102, beg leave to report that they have had the same under consideration, and report it back to the house with the recommendation that it do pass.

C. F. HICKS,
Chairman of the Marion County Delegation.

And the bill passed to third reading.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 8, 1887. }

Mr. Speaker: Your committee on labor, to whom was referred house bill No. 217, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house without recommendation.

WM. MUNGER,
Chairman.

Mr. Summers moved to amend the bill as follows:

AMENDMENT.

Section 2. The violation of any part of the foregoing Act shall be deemed a misdemeanor, and upon conviction thereof shall be punished by a fine of \$25, or imprisonment in the county jail for a

period not to exceed ten days or both for each any every offense.

(On motion of Mr. Munger, the amendment was adopted and the bill was ordered engrossed.)

On motion of Mr. Harrington, the house ordered 250 copies of the Governor's veto message on house bill No. 32 printed.

Mr. Culver moved to take up house bill No. 90 and put upon its passage now, and the house sustained the motion.

House bill No. 90 read third time.

"Shall the bill pass?"

(On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Culver, Crockett, Davis, Gard, Gubser, Goodsell, Gay, Holland, Hale, Hicks, Harris, Harrington, Holmes, Haley, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—51.

Nays—Messrs. Blevins, Henry, Hansard, Johnson, Miller of Linn—5.

Absent—Messrs. Crook, Daly, Lafollet of Yamhill, Paulsen—4.

So the bill passed, and the title of the bill stood as the title of the Act.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 9, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has adopted senate joint resolution No. 14, providing for the submission of the constitutional amendment relating to the prohibition of the sale and manufacture of spirituous or malt liquors, as provided by house joint resolution No. 2 of 1885, for ratification by the people at a special election.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Mr. Benjamin moved concurrence.

Pending discussion, Mr. Haley moved the previous question.

(On the question, "Shall the main question be now put?" it was lost.)

After more discussion the Chair ordered the roll called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Henry, Hicks, Holmes, Haley, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Maxwell, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, Osborn, Pomeroy, Palmer, Paulsen, Roberts, Richardson, Swank, Summers, Smith, Vanderpool, Wilcox—39.

Nays—Messrs. Bowditch, Bilyeu, Biggs, Crook, Hale, Hansard, Harris, Harrington, Johnson, Kruse, Lockett, Mayer, Miller of Jackson, McCully, Noyer, Pendleton, Stafford, Thompson, Taylor, Wilson, Mr. Speaker—21.

So the house concurred in senate joint resolution No. 14.

On motion of Mr. Daly, the house adjourned.

AFTERNOON SESSION.

House called to order at 1:30 P. M., the Speaker in the chair.

The roll was called and those absent were Messrs. Little, R. A. Miller, Noyer, Pomeroy and Summers.

On motion of Mr. Culver, the house took up house bill No. 225 and it was read third time.

“Shall the bill pass?”

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Richardson, Stafford, Swank, Summers, Smith, Taylor, Vanderpool, Wilson, Mr. Speaker—53.

Nays—None.

Absent—Messrs. Biggs, Holland, Laughlin, Munger, Roberts, Thompson, Wilcox—7.

So house bill No. 225 passed and the title of the bill stood for the title of the Act.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 8, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has adopted and agreed to senate joint memorial No. 12 of 1885, providing for an amendment to the constitution of the State of Oregon in reference to the salaries of the Governor, Secretary of State, Treasurer of State, Judges of the supreme court and other State officers, and the same has been ordered enrolled.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 8, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed senate bill No. 162, being a bill for an Act to amend an Act entitled "An Act to amend an Act entitled an Act to amend section 8, chapter 8 of the general laws of Oregon.

And the same is herewith transmitted for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Senate bill No. 162 was read first time and past to second reading without a question.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 9, 1887. }

Mr. Speaker: I am directed by the President to inform you that he has signed house bill No. 14.

And the same is herewith transmitted to you.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 9, 1887. }

Mr. Speaker: I am directed by the President to inform you that he has signed house bill No. 218.

And the same is herewith transmitted to you.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 9, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed senate bill No. 170, being a bill for an Act to fix and regulate the fees of justices of the peace and constables in Clatsop county.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Senate bill No. 170 was read first time and passed to second reading without question.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 9, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed senate bill No. 48, being a bill for an Act entitled an Act to provide a mode of procedure in the matter of ascertaining, etc., disputed boundary lines.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Senate bill No. 48 read first time and passed to second reading without question.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 9, 1887. }

Mr. Speaker: I am directed by the President to inform you that

the senate has adopted a substitute to house joint resolution No. 10, providing for the compilation and publication of 4,000 copies of the road laws by the Secretary of State.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

SUBSTITUTE FOR HOUSE JOINT RESOLUTION NO. 10.

Be it resolved by the House, the Senate concurring :

That the Secretary of State be and he is hereby authorized and directed to compile and prepare the road laws of this State, as amended at this session of the legislature, and cause 4000 copies to be printed and distribute as many thereof as may be necessary to the proper officers in this State.

And on motion of Mr. Harrington the house concurred in the substitute to house joint resolution No. 10.

At 2 o'clock Mr. Harrington called up senate bills Nos. 55 and 54 under special order.

Mr. Hale moved to postpone consideration of senate bills Nos. 54 and 55 till 3 P. M. to-morrow.

Lost.

Ayes and nays demanded by Messrs. Hale and Paulsen.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Blevins, Crockett, Davis, Gard, Hale, Henry, Hansard, Hicks, Haley, Kruse, Lockett, Lafollett of Marion, Layman, Maxwell, Miller of Linn, McKenzie, McCully, Noyer, Palmer, Pendleton, Paulsen, Richardson, Stafford, Swank, Smith, Thompson, Taylor, Vanderpool—30.

Nays—Messrs. Bowditch, Bilyeu, Crook, Culver, Daly, Gubser, Goodsell, Gay, Holland, Harris, Harrington, Holmes, Johnson, Laughlin, Little, Mayer, Miller of Jackson, McLean, Munger, Mackay, Osborn, Pomeroy, Roberts, Summers, Wilson, Wilcox, Mr. Speaker—27.

Absent—Messrs. Biggs, Lafollett of Yamhill, Mitchell—3.

So the motion to postpone was lost.

So senate bill No. 54 was read third time.

Pending discussion Mr. Gubser moved the previous question, Shall the main question now be put? and the motion was lost.

After further discussion, "Shall the bill pass?" was put.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Crook, Culver, Crockett, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Hicks, Harris, Harrington, Holmes, Johnson, Kruse, Lockett, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Mitchell, McLean, Munger, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Roberts, Summers, Smith, Thompson, Taylor, Wilson, Wilcox, Mr. Speaker—47.

Nays—Messrs. Blevins, Davis, Henry, Hansard, Haley, Lafollett of Marion, Miller of Linn, McKenzie, Paulsen, Richardson, Stafford, Swank, Vanderpool—13.

So senate bill No. 54 passed the house.

Senate bill No. 55 read third time.

“Shall the bill pass?”

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Crook, Culver, Crockett, Daly, Gard, Gubser, Goodsell, Gay, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Johnson, Kruse, Lockett, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Palmer, Pendleton, Roberts, Richardson, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—50.

Nays—Messrs. Davis, Haley, Stafford, Swank—4.

Absent—Messrs. Blevins, Gay, Lafollett of Marion, Miller of Jackson, Pomeroy, Paulsen—6.

So senate bill No. 55 passed.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 9, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed senate bill No. 106, being a bill to amend sections 2, 4, 5, 6 and 7 of title 1 of an Act entitled an Act to establish a uniform course of public instruction in the common schools of this State.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Senate bill No. 106 was read first time and passed to second reading without a question.

The Chair announced third reading of house bills.

Mr. Noyer moved to take up senate bill No. 20.

Motion lost.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 9, 1887. }

Mr. Speaker: Your committee on engrossed bills, to whom was referred house bill No. 4, beg leave to report the same back to the house as correctly engrossed.

J. H. ROBERTS,
Chairman.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 9, 1887. }

Mr. Speaker: Your committee on engrossed bills, to whom was referred house bill No. 176, beg leave to report the same back to the house as correctly engrossed.

J. H. ROBERTS,
Chairman.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 9, 1887. }

Mr. Speaker: Your committee on engrossed bills, to whom was referred house bill No. 252, beg leave to report the same back to the house as correctly engrossed.

J. H. ROBERTS,
Chairman.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 9, 1887. }

Mr. Speaker: Your committee on engrossed bills, to whom was referred house bill No. 59, beg leave to report the same back to the house as correctly engrossed.

J. H. ROBERTS,
Chairman.

And the bill took its place on third reading.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 9, 1887. }

Mr. Speaker: Your committee on engrossed bills, to whom was referred house bill No. 60, beg leave to report the same back to the house as correctly engrossed.

J. H. ROBERTS,
Chairman.

And the bill took its place on third reading.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 9, 1887. }

Mr. Speaker: Your committee on engrossed bills, to whom was referred house bill No. 72, beg leave to report the same back to the house as correctly engrossed.

J. H. ROBERTS,
Chairman.

And the bill took its place on third reading.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 9, 1887. }

Mr. Speaker: Your committee on engrossed bills, to whom was referred house bill No. 147, beg leave to report the same back to the house as correctly engrossed.

J. H. ROBERTS,
Chairman.

And the bill took its place on third reading.

House bill No. 87 read third time.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Daly, Gard, Gubser, Gay, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, McKenzie, McCully, Noyer, Osborn, Palmer, Pendleton, Paulsen, Rob-

erts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Vanderpool, Wilson, Wilcox, Mr. Speaker—50.

Nays—Mr. Taylor—1.

Absent—Messrs. Crockett, Davis, Goodsell, Holland, Hale, Johnson, Munger, Mackay, Pomeroy—9.

So house bill No. 87 passed and the title of the bill stood for the title of the Act.

Mr. Crook moved to make house bill No. 129 special order for 3 P. M. to-morrow.

Lost.

House bill No. 20 read third time.

On the question "Shall the bill pass?" an animated discussion arose.

Mr. R. A. Miller called to the chair in the midst of the discussion.

Mr. Benjamin moved to adjourn.

Lost.

Mr. Roberts moved that when the house adjourn this afternoon it adjourn to meet at 7:30 P. M. to consider bills which have no opposition, but withdrew the motion.

Oh motion of Mr. Hale, the house adjourned.

THURSDAY, FEBRUARY 10, 1887.

MORNING SESSION.

HOUSE OF REPRESENTATIVES,
SALEM, February 10, 1887. }

House called to order at 9:30 A. M., the Speaker in the chair.

Prayer by Rev. J. Bowersox of Salem.

The roll was called and those absent were Messrs. Davis, Mackay, McCully, Roberts and Taylor.

Mr. Lockett moved to dispense with the reading of the journal.
Carried.

Pending discussion, Mr. Bilyeu moved the previous question on house bill No. 20.

Shall the main question be now put?

Carried.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bowditch, Bilyeu, Biggs, Daly, Gard, Goodsell, Gay, Harris, Holmes, Kruse, Lockett, Mayer, Maxwell, Mitchell, McLean, Mackay, Taylor, Wilson, Wilcox—19.

Nays—Messrs. Benjamin, Blevins, Culver, Crockett, Gubser, Hale, Henry, Hansard, Hicks, Haley, Johnson, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Miller of Jackson, Miller of Linn, Munger, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Richardson, Stafford, Swank, Summers, Smith, Thompson, Vanderpool, Mr. Speaker—31.

Absent—Messrs. Blundell, Crook, Davis, Holland, Little, McKenzie, McCully, Noyer, Roberts—10.

So house bill No. 20 failed to pass.

On motion of Mr. Laughlin, the house ordered 200 copies printed of house joint memorial No. 4:

Mr. Culver moved to request the senate to return senate joint resolution No. 14 passed yesterday.

Carried.

House bill No. 101 read third time.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Little, Mayer, Maxwell, Miller of Linn, McLean, Munger, McKenzie, Mackay, McCully, Osborn, Palmer, Pendleton, Paulsen, Richardson, Stafford, Swank, Summers, Smith, Thompson, Vanderpool, Wilson, Wilcox, Mr. Speaker—52.

Nays—None.

Absent—Messrs. Holland, Laughlin, Miller of Jackson, Mitchell, Noyer, Pomeroy, Roberts, Taylor—8.

So house bill No. 101 passed and the title of the bill stood for the title of Act.

Committee on agriculture, by consent, reported:

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 9, 1887. }

Mr. Speaker: Your committee on agriculture, to whom was referred house bill No. 83, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

A. H. CROOK,
Chairman.

And the bill was ordered considered engrossed and passed to its third reading.

Mr. McKenzie moved senate bill No. 17 be put on its final passage now.

Lost.

House bill No. 64 read third time.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, Munger, McKenzie, Mackay, McCully, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Richardson, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—53.

Nays—Messrs. Laughlin, Stafford—2.

Absent—Messrs. Biggs, Little, McLean, Noyer, Roberts—5.

So house bill No. 64 passed and the title of the bill stood for the title of the Act.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 10, 1887. }

Mr. Speaker: Your committee on enrolled bills, to whom was referred house bill No. 3, beg leave to report the same back to the house as correctly enrolled.

JOHN WILSON,
Chairman.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 10, 1887. }

Mr. Speaker: Your committee on enrolled bills, to whom was referred house joint resolution No. 10, beg leave to report the same back to the house as correctly enrolled.

JOHN WILSON,
Chairman.

The Chair announced that he was about to sign house bill No. 3 and house joint resolution No. 10 and subsequently that he had signed them.

The hour set for reconsideration of vetoed house bill No. 32 (10 A. M.) having arrived, the Chair announced the fact and on the question, Will the house reconsider house bill No. 32? the vote stood as follows:

Those voting aye were:

Messrs. Benjamin, Biggs, Culver, Gubser, Goodsell, Holland, Hicks, Harris, Harrington, Johnson, Kruse, Lockett, Lafollett of Yamhill, Layman, Little, Maxwell, Miller of Jackson, Mitchell, McLean, Munger, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Roberts, Stafford, Summers, Thompson, Wilson, Mr. Speaker—33.

Nays—Messrs. Blundell, Bowditch, Bilyeu, Blevins, Crockett, Davis, Daly, Gard, Hale, Henry, Hansard, Holmes, Haley, Lafollett of Marion, Laughlin, Miller of Linn, McKenzie, Paulsen, Richardson, Swank, Smith, Wilcox, Vanderpool—23.

Absent—Messrs. Crook, Gay, Mayer, Taylor—4.

So the house decided to reconsider house bill No. 32, notwithstanding the objections and veto of the Governor.

The question, Shall house bill No. 32 pass, notwithstanding the veto and objections of the Governor?

Mr. Taylor moved to defer the vote until 7:30 P. M. this day.

Lost.

On the motion of Mr. Wilson, the vote was made the special order for 10 A. M. to-morrow.

Mr. McLean asked permission to insert the enacting clause in house bill No. 268.

Granted by consent of house.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 10, 1887. }

Mr. Speaker: Your committee on engrossed bills, to whom was referred house bill No. 129, beg leave to report the same back to the house as correctly engrossed.

J. H. ROBERTS,
Chairman.

Mr. Crockett moved the indefinite postponement of house bill No. 53.

The motion prevailed.

House bill No. 47 read third time.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Bowditch, Bilyeu, Biggs, Crook, Culver, Crockett, Gard, Goodsell, Gay, Holland, Hicks, Harris, Harrington, Kruse, Lockett, Lafollett of Marion, Laughlin, Little, Mayer, Maxwell, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Pomeroy, Pendleton, Roberts, Summers, Taylor, Wilson, Mr. Speaker—35.

Nays—Messrs. Blevins, Daly, Gubser, Hale, Henry, Hansard, Holmes, Haley, Johnson, Layman, Miller of Linn, Osborn, Palmer, Paulsen, Richardson, Stafford, Swank, Smith, Thompson, Vanderpool—20.

Absent—Messrs. Blundell, Davis, Lafollett of Yamhill, Miller of Jackson, Wilcox—5.

So house bill No. 47 passed and the title of the bill stood for the title of the Act.

On motion of Mr. Harrington, Hon. A. H. Tanner was invited to a seat within the bar.

MESSAGE FROM THE GOVERNOR.

STATE OF OREGON,
EXECUTIVE DEPARTMENT,
SALEM, February 9, 1887. }

To the Honorable the Speaker of the House:

I am directed by the Governor to inform you that he has signed the following bills:

HOUSE BILL NO. 26.

“An Act to incorporate the town of Heppner, Morrow county, Oregon.”

HOUSE BILL NO. 199.

“An Act to amend an Act entitled ‘An Act to incorporate the city of Eugene,’ approved October 22, 1864; also to amend an Act entitled ‘An Act to amend sections 2 and 7 of an Act entitled an Act to incorporate the city of Eugene,’ approved October 19, 1880; also to amend an Act entitled an Act to amend an Act entitled an Act to amend sections 2 and 7 of an Act entitled ‘An Act to incorporate the city of Eugene,’ approved October 6, 1882.”

HOUSE BILL NO 113.

“An Act to incorporate the town of Sellwood in Multnomah and Clackamas counties, State of Oregon.”

HOUSE BILL NO. 169.

"An Act to amend an Act entitled 'An Act to incorporate the town of Springfield, Lane county, Oregon,' approved February 25, 1885, and to repeal all Acts and parts of Acts in conflict therewith."

HOUSE BILL NO. 31.

"An Act to incorporate the town of Joseph in Union county, Oregon."

HOUSE BILL NO. 93.

"An Act to amend section 7 of an Act entitled 'An Act to create the county of Gilliam and to fix the salaries of county judge and treasurer thereof,' approved February 25, 1885."

HOUSE BILL NO. 52.

"An Act to amend sections 7, 8 and 9 of an Act entitled 'An Act to create the county of Morrow and to fix the salaries of county judge and treasurer,' approved February 16, 1885."

HOUSE BILL NO. 203.

"An Act to amend section 1 of article 1, section 6 of article 3, section 2 of article 4, sections 9, 10, 11, 12 and 13 of article 6 and to amend article 6 by adding two sections thereto, to be designated sections 34 and 35, of an Act entitled 'An Act to incorporate the city of East Portland, and to repeal an Act entitled an Act to incorporate the city of East Portland,' approved February 24, 1885."

HOUSE BILL NO. 128.

"An Act to incorporate the town of Drain in Douglas county and State of Oregon."

HOUSE BILL NO. 247.

"An Act to amend section 31 of an Act entitled an Act to incorporate the city of Ashland in the county of Jackson, State of Oregon, and to repeal an Act to incorporate the town of Ashland in the State of Oregon, approved October 13, 1874; and also an Act

entitled an Act to amend an Act to incorporate the town of Ashland in Jackson county, approved October 9, 1882, which Act was approved February 24, 1885, and also to amend said Act by adding thereto an additional section designated as section 95."

SENATE BILL NO. 89.

"An Act to provide for the foreclosure of the mortgage executed by the Baker City academy to the State of Oregon, and to provide for the sale of said mortgaged premises if the title thereto is acquired by the State of Oregon."

SENATE BILL NO. 67.

"An Act authorizing county courts to build armories in cities of over ten thousand inhabitants, and to provide for the use thereof."

And the same have been filed this day in the office of Secretary of State.

WM. A. MUNLY,
Private Secretary.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, February 10, 1887. }

Mr. Speaker: I am directed by the President to inform you that senate bill No. 3 has been reported correctly enrolled.

And the same is herewith transmitted to you for your signature.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, February 10, 1887. }

Mr. Speaker: I am directed by the President to inform you that senate joint memorial No. 6 has been correctly enrolled.

And the same is herewith transmitted to you for your signature.

E. G. HURSH,
Chief Clerk.

The Chair announced that he was about to sign senate bill No. 3 and senate joint memorial No. 6, and subsequently that he had signed them.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 10, 1887. }

Mr. Speaker: I am directed by the President to inform you that senate joint resolution No. 12 of 1885 has been reported correctly enrolled.

And the same is herewith transmitted to you for your signature.

E. G. HURSH,
Chief Clerk.

The Chair announced that he was about to sign senate joint resolution No. 12 of 1885, and subsequently that he had signed it.

House bill No. 16 read third time.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Bilyeu, Blevins, Culver, Crockett, Gard, Hale, Henry, Hansard, Hicks, Holmes, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Mayer, Maxwell, Mitchell, Noyer, Pendleton, Paulsen, Richardson, Stafford, Smith, Taylor—26.

Nays—Messrs. Bowditch, Davis, Daly, Goodsell, Gay, Harris, Harrington, Haley, Johnson, Lafollett of Yamhill, Miller of Jackson, McLean, McKenzie, Mackay, McCully, Osborn, Pomeroy, Palmer, Roberts, Swank, Summers, Vanderpool, Wilson, Mr. Speaker—24.

Absent—Messrs. Blundell, Biggs, Crook, Gubser, Holland, Little, Miller of Linn, Munger, Thompson, Wilcox—10.

So house bill No. 16 failed to pass.

House bill No. 13 read third time.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Bowditch, Blevins, Culver, Davis, Daly, Gard, Gubser, Gay, Hale, Henry, Hansard, Harrington, Holmes, Haley, Kruse, Lafollett of Marion, Lafollett of Yamhill, Layman, Little, Mayer, Maxwell, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Pomeroy, Palmer, Pendleton, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—43.

Nays—None.

Absent—Messrs. Blundell, Bilyeu, Biggs, Crook, Crockett, Goodsell, Holland, Hicks, Harris, Johnson, Lockett, Laughlin, Miller of Jackson, Miller of Linn, Noyer, Osborn, Paulsen—17.

So house bill No. 13 was passed and the title of the bill stood for the title of the Act.

House bill No. 49 read third time.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Culver, Davis, Gubser, Gay, Henry, Holmes, Lafollett of Marion, Layman, Laughlin, Little, McLean, McKenzie, McCully, Palmer, Roberts, Richardson, Stafford, Vanderpool, Mr. Speaker—20.

Nays—Messrs. Bowditch, Bilyeu, Crook, Culver, Crockett, Daly, Gard, Hale, Hansard, Harris, Haley, Johnson, Kruse, Lockett, Mayer, Maxwell, Miller of Linn, Mitchell, Munger, Noyer, Pomeroy, Pendleton, Swank, Summers, Smith, Thompson, Taylor, Wilson, Wilcox—27.

Absent—Messrs. Blundell, Biggs, Blevins, Crockett, Goodsell, Holland, Hicks, Harrington, Lafollett of Yamhill, Miller of Jackson, Mackay, Osborn, Paulsen—13.

So house bill No. 49 failed to pass.

House bill No. 8 read third time.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bilyeu, Biggs, Davis, Daly, Gubser, Goodsell, Harrington, Haley, Mayer, Maxwell, Munger, Mackay, Pomeroy, Richardson, Summers—15.

Nays—Messrs. Benjamin, Blundell, Blevins, Culver, Crockett, Gard, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Holmes, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Miller of Jackson, Miller of Linn, Mitchell, McKenzie, McCully, Noyer, Osborn, Palmer, Pendleton, Paulsen, Stafford, Swank, Smith, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—40.

Absent—Messrs. Bowditch, Crook, McLean, Roberts, Thompson—5.

So house bill No. 8 failed to pass.

AFTERNOON SESSION.

House called to order at 1:30 P. M., the Speaker in the chair.

The roll was called and those absent were Messrs. Crook, Culver, Gubser, Goodsell, Hicks, Laughlin, McLean, Munger, Mackay and Noyer.

Mr. Thompson moved that the committee on assessment and taxation be allowed to print certain proposed amendments to house bill No. 229, and be allowed leave to report the bill at any time.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bilyeu, Biggs, Blevins, Davis, Daly, Gard, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, Munger, McKenzie, McCully, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—49.

Nays—None.

Absent—Messrs. Bowditch, Crook, Culver, Crockett, Gubser, Goodsell, Little, Mayer, McLean, Mackay, Noyer—11.

Mr. Roberts moved that when the house adjourn it meet at 7:30 o'clock this evening to consider house and senate incorporation bills on third reading and other bills of a local character, and road appropriation bills.

The motion prevailed.

By consent, Mr. Harrington offered the following amendments to house bill No. 115:

House bill No. 115 amend as follows:

FIRST AMENDMENT.

Section 4, line 2, after the word "physicians" insert "or a regular qualified pharmacist."

SECOND AMENDMENT.

Section 5, line 1, after the word "physicians" insert "or pharmacist."

THIRD AMENDMENT.

Section 5, line 6, after "county clerk" insert "or certificate from a board of pharmacy, if there be one in the county."

FOURTH AMENDMENT.

Section 6, line 1, after the word "physicians" insert "or pharmacist."

FIFTH AMENDMENT.

Section 7, line 1, after the word "physicians" insert "pharmacists."

SIXTH AMENDMENT.

Section 8, line 2, after the word "therefrom" insert "that the word pharmacists in this Act shall be understood to mean any person who has graduated at a recognized school of pharmacy and who has a diploma therefrom, or has a certificate from a board of pharmacy, if there be one in his county; if there be none, then he or she shall satisfactorily prove to the county clerk that he or she has had not less than four years' practical experience in the drug business."

On motion of Mr. Munger, the house adopted the amendments and ordered the bill engrossed.

Petitions from various Knights of Labor were read and filed.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 10, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has adopted senate joint resolution No. 15, providing for voting on the question of adopting the amendment to the constitution granting the legislature power to increase the salary of the Governor and other State officers.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Mr. Benjamin moved the adoption of senate joint resolution No. 15. On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blevins, Crook, Culver, Crockett, Davis, Gard, Gubser, Goodsell, Gay, Holland, Henry, Hicks, Holmes, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Mayer, Miller of Linn, Mitchell, Munger, McKenzie, McCully, Palmer, Pendleton, Paulsen, Roberts, Summers, Smith, Taylor, Wilcox—34.

Nays—Messrs. Blundell, Bilyeu, Biggs, Daly, Hansard, Harris, Harrington, Haley, Laughlin, Little, Maxwell, Miller of Jackson, Noyer, Osborn, Pomeroy, Richardson, Stafford, Thompson, Vanderpool, Wilson, Mr. Speaker—21.

Absent—Messrs. Bowditch, Hale, McLean, Mackay, Swank—5.

So senate joint resolution No. 15 was concurred in.

The order of business being the third reading of house bills, Mr. Goodsell was called to the chair.

THIRD READING OF HOUSE BILLS.

House bill No. 30 read third time.

“Shall the bill pass?”

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Biggs, Crook, Davis, Gubser, Goodsell, Gay, Harris, Harrington, Kruse, Lafollett of Yamhill, Layman, Laughlin, Little, Maxwell, Miller of Jackson, Mitchell, McLean, Munger, Mackay, McCully, Pomeroy, Pendleton, Roberts, Swank, Summers, Vanderpool, Wilson, Wilcox, Mr. Speaker—32.

Nays—Messrs. Blevins, Culver, Crockett, Hale, Henry, Hansard, Hicks, Holmes, Haley, Johnson, Lockett, Lafollett of Marion, Mayer, Miller of Linn, McKenzie, Noyer, Palmer, Richardson, Stafford, Smith, Thompson, Taylor—22.

Absent—Messrs. Bilyeu, Daly, Gard, Holland, Osborn, Paulsen—6.

So house bill No. 30 passed and the title of the bill stood as the title of the Act.

By consent, Mr. Gregg introduced house joint resolution No. 11.

HOUSE JOINT RESOLUTION NO. 11.

Be it resolved by the Legislative Assembly of the State of Oregon:

That the Secretary of State be and he is hereby authorized and instructed to have the journals of the legislative assembly and the Acts, resolutions and memorials thereof copied for the use of the State Printer and that the original copy of such journals, Acts, resolutions and memorials be retained on file in his office as custodian of the records of the State, and the expense of such copying be audited and paid out of the legislative fund as other claims of like nature are audited and paid.

Mr. Mitchell moved to adopt house joint resolution No. 11.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Davis, Daly, Gard, Gubser, Goodsell, Gay, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Lay-

man, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—58.

Nays—None.

Absent—Messrs. Crockett, Holland—2.

So house joint resolution No. 11 was adopted.

The Speaker resumed the chair.

Mr. Mitchell moved and on his motion the house adopted the following amendment to senate bill No. 52 :

HOUSE AMENDMENT

To senate bill No. 52, introduced by Mr. Mitchell:

That section 3 thereof be amended by inserting after the word "them" in line 12 of the printed bill the following:

It shall be unlawful for any such railroad or transportation company doing business in this State to carry any freight or merchandise beyond its destination to any terminal point on said railroad or transportation line, or to charge or collect from any consignee of any freight or merchandise for transportation beyond its destination, or to charge or collect from any consignee of any freight any fee or sum of money whatever for returning any freight or merchandise from the terminal point of any such railroad or transportation company doing business in this State to any point within this State on the line of such railroad, where such freight or merchandise might have been delivered before reaching such terminal point, whether such freight or merchandise has been carried beyond its destination and returned or not. Any railroad or transportation company making any charge or collecting any fee or sum of money from any consignee contrary to the provisions of this Act shall pay to the person or persons aggrieved thereby damages in double the amount so charged or collected.

So that section will read :

Section 3. That it shall be unlawful for any person or persons engaged in the carriage, receiving, storage or handling of property, as mentioned in the first section of this Act, to enter into any combination, contract or agreement by changes of schedule, carriage in different cars, or by any other means with intent to prevent carriage of such property from being continuous from the place of shipment to the place of destination, whether carried on one or several railroads in this State; and it shall be unlawful for any person or persons carrying property as aforesaid to enter into any contract, agree-

ment or combination for pooling freight, or to pool freights on different or competing railroads, or to divide between them the aggregate or net proceeds of the earnings of such railroads or any portion of them; it shall be unlawful for any such railroad or transportation company doing business in this State to carry any freight or merchandise beyond its destination to any terminal point on said railroad or transportation line, or to charge or collect from any consignee of any freight or merchandise for transportation beyond its destination, or to charge or collect from any consignee of any freight any fee or sum of money whatever for returning any freight or merchandise from the terminal point of any such railroad or transportation company doing business in this State to any point within this State on the line of such road or transportation company, where such freight or merchandise might have been delivered before reaching such terminal point, whether such freight or merchandise has been carried beyond its destination and returned or not. Any railroad or transportation company making any charge or collecting any fee or sum of money from any consignee contrary to the provisions of this Act shall pay to the person or persons aggrieved thereby damages in double the amount so charged or collected. Each day's continuance of the contracts or agreements mentioned in this section shall be deemed a new offense, as defined in section 8 of said Act, and be punished accordingly.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, February 10, 1887. }

Mr. Speaker: I am directed by the President to inform you that senate bill No. 54 has been reported correctly enrolled.

And the same is herewith transmitted to you for your signature.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, February 10, 1887. }

Mr. Speaker: I am directed by the President to inform you that senate bill No. 55 has been reported correctly enrolled.

And the same is herewith transmitted to you for your signature.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 10, 1887. }

Mr. Speaker: I am directed by the President to inform you that he has signed house bill No. 3.

And the same is herewith transmitted to you.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 10, 1887. }

Mr. Speaker: I am directed by the President to inform you that he has signed house joint resolution No. 10.

And the same is herewith transmitted to you.

E. G. HURSH,
Chief Clerk.

The Chair announced that he was about to sign senate bills Nos. 54 and 55 and subsequently that he had signed them.

Committee on public lands reported by consent.

Mr. Bilyeu moved the report be spread on the journal and 250 copies be printed, and the house so ordered.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 12, 1887. }

Mr. Speaker: Your committee on public lands beg leave to submit the following report. On the 17th day of January, 1887, the following resolution was adopted, viz.:

Resolved by the House of Representatives:

That the committee on public lands of this house is hereby instructed to co-operate with the senate committee on public lands and to examine fully into the condition of the school, university, agricultural college and State lands of this State, and to make a thorough investigation of the swamp land grant. It is directed to examine into and report upon the methods of selection and the results obtained, and the present status of the grant. In its report it is instructed to show to this house—

First—The amount of land patented to the State under this grant.

Second—The amount certified to [by] the interior department as property belonging to the State, but for which patent has not yet issued.

Third—The amount examined by the joint commission, reported as swamp land, but not certified to the State as such.

Fourth—The amount of land, as near as may be ascertained, not yet examined, but which should be passed to the State as swamp land.

Fifth—The methods followed by the State in the selection of these lands, and the adjustment of the claims of the State vs. the United States, under the grant.

The committee is further directed to investigate the sales made from the grant and report—

(A) The area upon which the 20 per cent. of the purchase price has been paid prior to January 17, 1879.

(B) The area on which the 20 per cent. has been paid since that date.

(C) The area on which full payment has been made.

(D) The total amount received from the sale of swamp lands.

(E) The amount due on sales already made, and the total approximate value of the grant.

(F) To ascertain the defects of the present system of disposing of these lands, and in the laws governing the same.

For the purpose of facilitating this investigation the committee is empowered to employ a competent clerk, and is directed to make a thorough investigation of all matters connected with the selection and sale of these lands as soon as possible."

Under the above instructions your committee proceeded to make the investigation therein ordered, the result of which is herewith set forth in the order of the inquiries of the resolution.

First—The amount of land patented to the State under the swamp land grant is 31,311.09 acres, as set forth in patents of dates as follows:

DATE.	DISTRICT.	ACRES.
May 1, 1877	Linkville District.....	1,336.29
June 5, 1877	Linkville District.....	3,113.25
June 10, 1882	Lakeview District.....	20,160.65
Sept. 16, 1882	Lakeview District.....	943.39
Feb. 13, 1884	Lakeview District.....	916.45
Nov. 10, 1882	Dalles District.....	1,440.00
June 27, 1883	Oregon City District.....	691.52
Jan. 26, 1885	Oregon City District.....	2,709.54
	Total.....	31,311.09

Second—"The amount certified to by the interior department as properly belonging to the State, but for which patent has not yet issued," is altogether 97,946 64-100 acres. This is shown by the lists approved by the department, as follows:

DISTRICT.	DATE.	ACRES.
Dalles-----	Sept. 16, 1882	1,440.00
Oregon City-----	March 6, 1883	691.52
Oregon City-----	Dec. 9, 1884	2,709.54
Linkville-----	Jan. 7, 1876	1,336.29
Linkville-----	April 2, 1877	3,113.25
Lakeview-----	June 24, 1881	1,143.39
Lakeview-----	April 24, 1882	20,160.65
Lakeview-----	Sept. 16, 1882	97,641.24
Lakeview-----	Dec. 6, 1883	916.43
Lakeview-----	June 19, 1884	105.42
Total acres-----		129,257.73
Patented to date-----		31,311.09
Awaiting patent now-----		97,946.64

As will be seen, the above exhibits all lists approved to the State, on some of which the State has already secured patents, which, when issued, except in one case, corresponded with the list approved by the department. The list approved June 24, 1881, in the Lakeview district contained an aggregate of 1,143.39 acres, but the patent to correspond issued September 16, 1882, was only for 943.39 acres of the amount approved.

Third—"The amount examined by the joint commission, reported as swamp land, but not certified to the State as such," by the approval of the interior department foots up a total of 90,740.84 acres. These lists are not fully completed, 23,358.14 acres only being on the lists which have been signed by both commissioners. The remaining 67,382.70 acres have been agreed upon by both commissioners as properly belonging to the State, but owing to the absence of one of the commissioners from the State the lists have not been signed. In all other respects this amount is ready to forward for final approval and patent. This, however, does not fully represent the work which has been done in this direction. Fully 130,000 acres were examined by J. C. Whiteaker and H. H. Hewitt on the part of the State, and A. P. Ankeny and P. I. B. Ping on the part of the United States. The selections made by these agents seem to have had the completeness which should have resulted in approval and patent, but owing to inexplicable delays in Washington nothing has been done with the lists furnished by these agents. This amount of 130,000 acres represents the land selected by the commissioners as swamp land belonging to the State. In addition

to the tracts embraced therein, the commissioners examined large bodies of land which they reported as dry, and consequently not properly inuring to the State under the swamp land grant. It has not been possible to determine with exactness the number of acres of land examined by these commissioners, owing to the fact that full reports were not filed in the office of the board of State land commissioners by the agents selected to represent the State prior to 1882. Had full reports been made by these agents much unnecessary labor would have been avoided and the State would to-day be in possession of the facts in regard to most of the land filed on under the swamp land grant. Much of the work done by these agents may have to be gone over again, and the State will therefore be put to an expense which would have been avoided had these agents made the reports to the State which they were expected to make when they were appointed commissioners.

Fourth—"The amount of land not yet examined, as near as may be ascertained, which should be passed to the State as swamp land." At best, your committee can only reach an approximation. Much land reported as swamp land prior to examination may prove when inspected by the joint commission to be high and dry, while in many instances it will be found that tracts of swamp land to which the State is legally entitled have been entered under the homestead or pre-emption Acts. The State willingly releases all claim where the land does not properly come within the terms of the grant, and at the same time expects to obtain title where the same rightfully is due to it. Probably the total amount of land yet to be examined will not exceed 750,000 acres, making a total acreage to which the State will obtain title of say 979,998.75 acres, which amount is obtained by adding the approved lists and the last two items embraced in the inquiry together, thus:

	ACRES.
Lists approved	129,257.73
Amount examined	90,740.84
Amount awaiting examination	750,000.00
Total acreage	979,998.67

Fifth—"The methods followed by the State in the selection of these lands, and the adjustment of the claims of the State vs. the United States, under the grant."

Under the law making grant of swamp lands to the several States each State was authorized to adopt a mode or basis for determining what lands may be embraced in the grant. Some of the States agreed to abide by the field notes of the United States surveyors,

while others, including Oregon, appointed commissioners to select such tracts as come within the provisions of the Act granting the swamp or overflowed lands to the State.

The first instructions issued by the general land office at Washington, under the swamp land Acts, bears date November 21, 1850, and is addressed to all swamp land commissioners appointed on the part of the United States. These instructions say in part:

"This Act clearly and unequivocally grants to the several States those lands which, from being swampy or subject to overflow, are unfit for cultivation. In this class is included also all lands which, though dry part of the year, are subject to inundation at the planting, growing or harvesting season, so as to destroy the crop, and therefore are unfit for cultivation, taking the average of the seasons for a reasonable number of years as the rule of determination. You will please make out a list of all the lands thus granted to the State.

* * * * * The only reliable data in your possession from which these lists can be made out are the notes of the surveys on file in your office; and if the authorities of the State are willing to adopt these as a basis of those lists, you will so regard them. If not, and those authorities furnish you satisfactory evidence that any lands are of the character embraced in the grant, you will so report them."

In connection with the foregoing the form of the lists was designated, and the commissioner directed to return them, when completed, for approval to the commissioner of the general land office. This, substantially, has been the general instruction to all agents appointed by the commissioners of the general land office, and the details have been in accordance with the foregoing principles. The commissioner appointed on the part of the State was instructed to co-operate with the commissioner representing the general land office, and with him to make personal examination of the tracts of land, reporting what was found to be swampy and what dry. The lists were to be made jointly, and in cases of disagreement the matter was to be stated in the report. Where, however, there was any cause for doubt as to the character of the land the agent for the State was instructed not to press the claim of the State.

Substantially, then, the method employed was examination by a joint commission and the determination of the character of the land by personal examination, with the intention of securing to the State only such lands as are truly swampy in character.

After examination by the joint commission the lists were forwarded to Washington for approval and patent. This should ordinarily take but little time, but for reasons unknown to your com-

mittee long delays have been the rule, necessitating much correspondence between the State and the interior department.

Your committee find that:

(A) The area upon which the 20 per centum of the purchase price was paid prior to January 17, 1879, foots up a total of 255,744.35 acres, \$51,148 87 having been paid prior to that date, as shown by the reports of the board in 1878 and 1880. There is grave reason to doubt the accuracy of these figures, for while the report for 1878 says \$42,989 34 was received in payment of the 20 per cent. on swamp lands, the investigating committee appointed by the legislature of 1878 say (page 12 of the report) that "Cann's cash book shows up to that date \$48,588 94 had been received," instead of \$42,989 34, which is equivalent to a 20 per cent. payment on 27,998 acres in addition to those given above. From the fact that the books were kept in a careless manner prior to the legislative session of 1878, it is altogether impossible to determine these figures with exactness. Since the advent of E. P. McCornack as clerk of the board a system has been introduced into the office by which all the records have been properly and well kept, and all the filings made since 1878 are easily accessible, and the facts in relation to them are in a form which enables them to be grasped quickly by all who examine them.

(B) Since the 17th of January, 1879, there has been 20 per cent. paid on a total of 524,506.09 acres. In the case of the claimants who have paid in the deposit on the above amount of lands, perhaps it is safe to say that the majority made the payments on what they called "amended filings." Under the law of 1870, in the absence of a regular survey, it was sufficient to describe the desired tract by natural or artificial landmarks. No payment was necessary until the land was surveyed and maps filed in the county clerk's office, and due notice of that fact given by publication. Under the Act many persons made filings, entered upon land, and awaited legal notification for payment. But it happened in many cases that the survey of the land filed upon was not made until *after* January 17, 1879. In consequence these persons paid in their 20 per centum *since* the law of 1878 went into effect, and their claims are included in the amount of land given above. It is not for your committee to determine the rights of these parties. Where an honest effort has been made to comply with the conditions of the law, and where bona fide settlers are concerned, a reasonable interpretation of the law will suggest itself to all fair-minded persons. After all, this is a question which must eventually be decided by the courts. The Thayer decision has, since it was made, been the rule of the board. In justice to the board, we quote the parts which

embody the principles which have been the basis of the action of the board. The decision says, omitting all but the matter which is of general application:

"* * * Section 3 of the Act of October 26, 1870, provides that any person over the age of 21 years, and being a citizen of the United States, or having filed his intention to become such as required by the naturalization laws of the United States, may become an applicant for the purchase of any tract or tracts of said swamp and overflowed lands upon filing his application therefor. Before payment or any offer of payment of the 20 per centum required by law is made, the person filing on swamp land has no devisable or descendable interest or estate therein. He is only an applicant to purchase having neither a *jus in re* or a *jus ad rem*. It is true he acquires a right under the statute, but not such a right as will pass to his personal representatives or descend to his heirs in absence of a provision to that effect in the law under which the application is made. The Act of October 26, 1870, only permits an application of that character to be made by certain persons. They must be over the age of 21 years, citizens of the United States or have declared their intention to become such, and there is no saving clause in the Act in case of the death of the applicant. Any other construction would lead us to an absurdity.

An applicant might have all the requisite qualifications to purchase, but his heirs none. By what right, then, could they step into his shoes? The legislative assembly of the State, for some reason which we must regard as sufficient, limited the sale of that character of land to citizens or those who had declared their intention to become citizens of the United States, and they were to be over a certain age. Now, if it had been intended that, under any circumstances, persons not having such qualifications could become such purchasers it doubtless would have so provided. The Act is a law, although it provides for entering into a contract, and such effect must be given to it as will carry out the intention of the legislature.

* * * All the rights an applicant had under the Act were specified therein, and we have no right to interpolate any other provision. * * * The Act of 1878 does not, however, attempt to interfere with applicants who had complied with the law of 1870. Section 9 of that Act provides that "all applications for the purchase of swamp lands made previous to the passage of this Act (Act of 1878) which have not been regularly made in accordance with law, or which were regularly made and the applicants have not fully complied with all the terms and requirements of the law under which they were made, including the payment of the 20 per centum of the purchase price, are hereby declared void and of no force and

effect whatever." A strict construction of this language might have the effect to forfeit all applications where the 20 per centum had not been paid, although the applicant had fully complied with the law as far as the circumstances would admit of a compliance.

We have had occasion to consider that question frequently, and have concluded that it ought not to receive that construction. The legislature may have the power to suspend every application of that character and declare it a nullity, but we do not think it so intended; that it only intended to declare void those applications where the non-payment of the 20 per centum had been a violation of the conditions contained in the Act of October 26, 1870. In many cases the applicant to purchase under the latter Act was not in default when it was repealed, although he had not paid the 20 per centum purchase price, as the circumstances had not arisen or the time elapsed requiring its payment.

The law does not lean in favor of forfeitures. We have therefore been inclined to hold that there would be no forfeiture in such case unless the condition of the payment of the 20 per centum had been broken. But while the rights of the applicant under the Act of October 20, 1870, are preserved under the Act of October 18, 1878, it does not follow that the former Act is in force. The applicant's rights are dependent upon the saving clause in the Act of 1878. It preserves his contract with the State. When, therefore, he comes before the board and shows that he has complied with the terms of the purchase, we have no alternative but to execute a deed to the land applied for. The applications under consideration for a certificate of purchase of the lands are made under the former statute, which provides that after 20 per centum of the purchase money shall be paid by the applicant it shall be the duty of the commissioner, this board, to issue to him a receipt therefor, and which was followed by a provision that in effect gave the purchaser ten years in which to reclaim the land and pay the balance of the purchase money. After due consideration, we are of the opinion that we cannot issue any receipt, or certificate, as it is generally termed, having any such effect. To have two modes of proceeding for acquiring title to swamp land—one for those who filed under the Act of 1870 and another for those who filed under that of 1878—would be absurd and contrary to the manifest intention of the legislature. The applicant must claim his rights under the latter Act. While his rights under the Act in force when he filed his application are preserved, yet the provisions (of) that Act in regard to filing maps in the clerk's office of the various counties and giving notice have been swept away. In case, however, of conflicting applications made under the former law, we think it the duty of the board to

determine who has the right to purchase the land. This is incumbent upon the board, else parties would be embarrassed in regard to reclaiming the land. Neither would know whether he would be safe or not in expending a large amount of labor for that purpose. Unless it were ascertained that his application was regular, and that he had the better right to purchase, he would as well remain passive."

In the matter of road warrants the board says in the same decision :

"The objection made to the tender by Owen of the road warrants referred to is that the Act of October 21, 1876, under which they were issued, is invalid, so far as it provides that they should be receivable in payment of swamp lands; that the legislative assembly had previously authorized the issuance of road warrants under a former Act, and made them payable out of the swamp land fund; that a large number of such warrants had been issued under said former Act and were outstanding; that the proceeds of the sales of swamp lands had been required to be set apart in accordance with the provisions of said prior statute, and that the receipt of warrants under the Act of October 21, 1876, in payment of swamp land interfered with the rights of the holders of the prior warrants; that it was a wrongful diversion of a fund provided for their redemption and a violation of vested rights.

"This objection would doubtless have great force if made before a court in a case in which the class of warrant-holders it refers to were parties, but a tribunal of the administrative department would hardly be justified in questioning the validity of a statute, besides the board is in grave doubt whether or not any one would have a right to raise the question except the holder of a warrant issued under the prior statute. The board cannot know whether the holder of any such warrant would object to said provision of the Act of October 21, 1876. It might be that such warrant-holders were in favor of said provision. Its exercise probably has a tendency to defer the payment of their warrants; but they may regard that as an advantage, preferring to hold them as an investment. In any view of that question, we think it the safe rule to follow the direction of the statute in all cases until the courts decide it to be invalid.

"The Act of October 21, 1876, declares that the warrants issued in accordance with its provisions shall be receivable in payment of swamp lands, and it would be presumptuous on our part to refuse to receive them for that purpose."

From the foregoing excerpts it will be seen that the board of land commissioners during the period from 1878 to 1887 based their action upon the construction of the statutes of 1870 and 1878,

which admits rights acquired under the Act of 1870, by compliance with the terms thereof, which were not taken away by the Act of 1878; that it was not the intention of the Act of 1878 to interfere with those parties who had complied with the law of 1870 as far as it was possible to do, and that the real purpose of the statute was (1) to declare void all claims where the conditions of the statute of 1870 were disregarded, when it was possible to comply with such conditions, and (2) to limit the amount of land to be thereafter acquired by single individuals; and (3) to prescribe terms by which rights could be acquired under said Act of 1878.

The boards have held that in all construction of statutes the limitations prescribed by the constitution of the United States must be taken into account. No State has power to pass a law which "will impair the validity of contracts," and it was held that the law of 1870 embodied a contract in its conditions. Hence the board felt sufficient warrant for the principle laid down to govern their actions. Whether they erred the courts must decide, for this is matter which can only be satisfactorily settled by judicial decision. Doubtless a decision will soon be reached on these questions, for as the board of land commissioners has (February 1, 1887) declared null and void certain certificates issued under the Thayer decision, the courts will soon probably be called upon to pass upon the matter. If the Thayer decision was wrong it should be set aside, and all certificates dependent upon it should be annulled. If, however, it was right in law, the certificates resting upon it should be protected. It should be remembered here that the certificates granted by the board are only formal receipts for money and in themselves convey no rights to land. These rights can only be gained by compliance with the statutes. So, too, if land is filed upon which is not swamp land, the State can give no title, nor does the party claiming such land trespass against the State. The wrong is against the United States and in time will be righted by United States law. On this point the board says in its report for 1887, (page —)

"Great care has been taken that no payment be received on any lands until the proper evidence of their swampy character had been received, and in all cases where the land had not been formally certified to the State by the honorable secretary of the interior the payments were received with the express understanding that the purchase was conditional and subject to the approval to the State of the lands on which the payments were made, and this condition was set forth in the certificate of payment. Notwithstanding these precautions, doubtless, in some instances, the applicants have made the first payment on lands which will not pass to the State under the grant, and consequently, to which the applicant will never ob-

tain title; but this will work no hardship on anyone except the swamp land claimant, and not on him, because he proceeded with full knowledge of the conditions of the transaction.

"The acceptance of the payment of the 20 per centum of the purchase price of any lands does not withhold them from settlement, or in any way prevent their being taken under the pre-emption or homestead laws. If they are swamp lands they are withdrawn from settlement by virtue of the grant from the United States, not on account of any payment which may have been made to the State; while, if they are dry lands, they are as open and free to settlers as though no payment had been made thereon. The settler upon these lands may proceed to the acquisition of title under the pre-emption or homestead laws of the United States, without let or hindrance from any one, unless it be affirmatively shown that the lands claimed are swamp or overflowed lands, and therefore not subject to settlement. Swamp lands in their unreclaimed state are not suitable for agricultural purposes, and will not be settled upon by any person proceeding in good faith in search of agricultural land."

The term certificate is misleading, for it is not a deed nor does it guarantee title. If this be borne in mind it will help to an understanding of the subject. A certificate without compliance with law is void, and many certificates heretofore issued either have already or will lapse for this reason.

(C) Full payment has been made on 91,190.35 acres of swamp land, and a list of the persons to whom deeds have been issued will be found in the reports of the board for 1882, 1885, and 1887. These are the only deeds on record in the office, except a few quit claim deeds issued because of settlement under laws of the United States prior to selection by the State and before such tracts were claimed by any lawful claimant under the swamp land law of Oregon. (For list of such deeds see report of 1880, page 30.)

As the instructions define the general scope of the investigation desired, your committee has not taken time to examine the affidavits of reclamation which have usually accompanied applications for deeds, or to inquire into the sufficiency of proofs offered by claimants. These affidavits are made with a full knowledge of the penalty imposed for perjury, and your committee believe that where proof based upon affidavits have been presented to the board the issuance of deeds was proper. If fraud has been perpetrated in the matter of proof, it is a fit subject for inquiry by the proper legal authorities, and if then proven the deed thus obtained will be at once set aside by the board. Doubtless it will be found that fraudulent proof has been filed with the board in a number of instances, but in due time the guilty parties will suffer the penalty of their wrong doing.

(D) "The total amount received from the sale of swamp lands" is \$238,153 53, as shown by the books of the land office and the report of the investigating committee of 1878. That committee reported \$48,588 94 as having been received prior to September, 1878, and the last report of the board gives \$189,564 59 as the total received since that date.

(E) "The amount due on sales already made," as nearly as the same can be determined by our hasty examination of the books, is \$587,752 72. This is determined by deducted \$91,190 35, the amount paid for deeded land from the total receipts for swamp lands, \$238,153 53—the remainder, \$146,963 18, representing the 20 per cent. paid on contracts yet to be completed, and the remaining 80 per cent. will then be \$587,752 72. "The approximate value of the grant," then, is in the neighborhood of one million dollars, as the land not yet filed upon, added to what has already been certificated, will make the grand total of nearly 1,000,000 acres of swamp land granted to the State, and without doubt the tide lands will make up the round million acres—a magnificent grant, and one well worthy of careful and judicious handling. To squander such a grant is criminal, and deserves the severest condemnation, while attempts to obtain possession by fraud in any form should promptly result in confinement in the State penitentiary, and the lands obtained by fraud should be forfeited to the State and opened to honest settlers, who stand ready to comply with the conditions of the law.

(F) Your committee is also instructed "to ascertain the defects of the present system of disposing of these lands, and in the laws governing the same." It is not easy to make a statement which will completely answer this instruction. The present system is substantially that adopted for the disposal of the school lands of the State, conditioned only by the special laws in relation to swamp lands. The defects are in the laws rather than in the methods of the board. Change the laws and the methods will necessarily conform. What is needed is such change in the swamp land laws as will secure to the State, at the minimum of expense, the amount of money represented by the grant. If swamp land is worth six dollars an acre it should not be sold for one dollar, and its value should be fixed irrespective of reclamation. Actual settlement should also be a condition of sale, and the privilege of filing, by other than actual settlers, should be taken away. But actual settlement should be liberally construed. People cannot build houses and live in the swamp. Contiguity, living on land adjoining the tract desired, should be held as actual settlement. Then, too, 320 acres is too small a tract in many instances. The limit should be fixed at 640

acres, and then stock raising by men of small means will be possible. The condition of reclamation is unnecessary and unwise. It is not always possible to reclaim, nor is it always to the advantage of the State. Much valuable swamp land, if drained, will be utterly worthless, while at present it affords food and shelter to stock. As over 500,000 acres remain to be disposed of, let reclamation be stricken out at once, and all those who have otherwise complied with law be entitled to a deed upon payment of the remainder of the purchase price. The State should not require impossible or unwise conditions, and probably no cause has produced a greater number of efforts to comply with the letter of the law, and yet evade its spirit, than has this condition of reclamation. Were all affidavits thoroughly examined, doubtless numerous cases of perjury would be unearthed—due to this cause. No board can determine the real facts about proof of reclamation without sending a special agent to make examination, and hence the best way out of the difficulty is to amend the law in this particular.

Then, too, the interest on the swamp land warrants and other warrants payable out of the swamp land fund is rapidly eating up the grant. With money lying idle in the treasury, sound financial policy will suggest that all such warrants be ordered paid out of such idle money and thus save the State the interest it otherwise must pay. The warrants outstanding to-day amount to \$52,406 09 and the interest on the same \$41,759 85. This interest will continue to increase, and it would be wise to appropriate a sufficient amount from the surplus in the general fund to provide for their immediate redemption. In time the amount thus appropriated can be repaid to the general fund and in the meanwhile the ruinous interest charged be stopped. Interest alone is eating up over 5,000 acres of the grant each year. This should be prevented by changing the law in relation to payments from the swamp land fund, making all warrants drawn hereafter payable from the general fund when there are no moneys in the swamp land fund. This, in connection with payment of the warrants outstanding, will result in a great saving to the State.

The endeavor to draw a line between claims prior to January 17, 1879, and those of later date, on which 20 per cent. was paid will not remedy the defects of the laws of 1870 and 1878.

Where payment of 20 per centum of the purchase price was paid prior to January 17, 1879, and the claimant has otherwise complied with the law governing the sale of swamp lands, there can be no question as to the title. The State is bound to fulfill the contract entered in with the purchaser. In the case of those whose filing was made under the law of 1870, but payment upon which was

made later than January 17, 1879, is found the chief difficulty. The aim of the law was to guarantee the possession of the land to those who were willing to strictly comply with its provisions. Some of these provisions necessarily followed and were dependent upon the survey of the land by the United States, and until such survey was made neither the claimant nor the board could proceed beyond the matter of filing. Where such delay, without fault of the claimant, made the payment of 20 per cent. of the purchase price to the board come later than January 17, 1879, clearly the State should perform its part of the contract implied by the terms of the law of 1870. All honest settlers should receive full protection in their rights, and that construction should be put on the law which will secure this protection to those to whom the faith of the State is pledged.

Your committee do not believe in the policy of granting large bodies of lands to single individuals, believing it to be against the best interests of the State. The law of 1870 permitted this, however, and consequently the filings of single individuals cover hundreds of thousands of acres. The statute of 1878 was intended to prevent the further continuance of the evil by limiting the amount to be obtained under its provisions to 320 acres or less. All *original* applications made for swamp land since January 17, 1879, have been for this amount, and not an instance has been found where the board has filed applications for larger tracts. It might be well to consider the question whether the limit to such a small tract as 320 acres is not detrimental to the best interests of settlers, and also whether the limit should not be increased to 640 acres instead of 320. The swamp land grant should be a source of great benefit to our State, but its past management has made it a source of annoyance and expense, and the laws must be changed at this session so that fraud may be detected, the settlers be protected in their rights and those who have unlawfully possessed themselves of public land be compelled to return the same to the State.

Steps should be taken to reopen to settlement the tracts now unlawfully held, and also to compel the payment of the remaining 80 per cent. of the purchase price within two years. This money will be of great service, and the payment should be exacted on all claims not forfeited by the Act of 1878. But section 9 of that Act should be fairly interpreted.

The sophistical reasoning by which that section is made to cut off and destroy rights acquired by compliance with the law of 1870 will strike all fair-minded members of this legislature as altogether unsatisfactory. Especially is this true when we remember that the Thayer decision was rendered at a time when the legislature was in

session, was a matter of common remark at the time as an important ruling, that twice since it was rendered investigating committees have reported on the doings of the land office, and that thus, tacitly at least, the legislature itself has endorsed the decision. It is competent at any time to overturn a wrong ruling, but a ruling thus endorsed by the legislature itself can only be set aside by the courts, and the courts are always open to those who feel wronged. It is easy for a skillful lawyer to prepare a sophistical brief, and one which apparently is all candor. The people, however, cannot be long deceived, and a fair interpretation and a correct interpretation of the laws will be received.

Finally, your committee think the present law is defective in permitting ten years for payment. The land should be paid for in five years from date of filing, and a quit claim deed be given to the purchaser, so that in case the land is not swamp the purchaser can have no recourse on the State. One-third of the price should accompany the application, and notes be given for the remainder. This will speedily finish the sales and enable the state to enter into the full use of the fund represented by the grant.

ROBERT McLEAN,

A. H. CROOK,

P. S. NOYER,

Committee.

REPORT.

Mr. President: We, your committee appointed by senate joint resolution No. 3 to investigate the books and papers of the State Treasurer and the State board of land commissioners with reference to the management and sale of swamp lands, hereby make the following report:

Very soon after commencing the work of examination in the office of the State board it became evident that the joint resolution under which we were acting required an impracticability, inasmuch as it specified numerous lines of report and stipulated that said report should be made to the fourteenth regular session of the legislative assembly.

There are no maps or plats in the office of the State board or in any of the State offices showing the location of the original filings or the supplemental or amended filings, and it is impossible to trace the course of many of them from the original through the amended or supplemental to the last specification of lots or tracts embraced in the certificates issued by the State board.

In fact, the ruling or habits of the State board, from the passage of the swamp land Act in 1870 until its repeal by the Act of 1878,

rendered maps and plats in part unnecessary as showing the exact location of tracts of land filed upon by the applicants to purchase swamp or overflowed lands. For, how could any clerk, however skilled, delineate upon a map an unknown and undescribed area of swamp land lying between Beatys' butte and Steins' mountain and between certain parallels of latitude, or all the swamp land in a certain number of townships or sections, or all the swamp land between two towns, and south of a certain road and north of a certain ridge? And such descriptions were accepted in the interval from 1870 to 1878 as aforesaid, and continued as regular by the State board from 1878 until the present time. For proofs of this see Governor Thayer's opinion in the Owens-Ish case, which has been the rule of the board from the first.

The greater number of applications, mainly for small tracts, of from 40 to 640 acres were regularly described; but all of the large tracts, with one or two exceptions, were, as before stated, impossible of location upon a map, and consequently the board has got along without the aid of maps.

The applications kept in envelopes are each numbered in the order of time as to reception, and each contains a short memorandum of the date of filing, the amount of money paid, the date of payment, date of assignment, if any, and the number in all over 1100. The greater part of them are valueless, as no money has been paid upon them, and the time for filing upon lands under the Act of 1870 has long since passed. Abstract "A" contains a list of all those upon which money was paid prior to January 17, 1879, the time when the Act of 1878 took effect. Many of those in abstract "A" are quite indefinite, and the amounts paid, sometimes given in pencil and very brief, have to be guessed at. For instance, "16 pd," or "420 pd," being the 20 per cent. of the number of acres claimed, are presumably intended to mean that Thomas Cann, agent of the board of commissioners for the sale of State lands, did on a certain day receive \$16 or \$420 on the within application. The memoranda upon applications received since Mr. E. P. McCornack has acted as clerk are full and complete. The envelopes also contain letters, quit claim deeds, notices of assignment, memoranda of the return of purchase money, etc., and there are no other records pertaining to the applications.

According to section 2 of an Act of 1870 it is made the duty of the commissioner (now State board) as soon as the selections of swamp lands in any county are completed to make out maps and descriptions thereof in duplicate, one copy to be kept in suitable books in his office, the other to be filed in the office of the county clerk of the county where the lands are located; said county clerk

is then to forward his official certificate, upon the receipt of which by the commissioner he is to publish a notice of said completion, approval and filing, after which, within ninety days, the applicants for the purchase of swamp lands under the Act of 1870 "shall pay 20 per cent. of the purchase money," etc.

We find no records in the office that the law has been obeyed in respect to these last enumerated provisions. There is no proof of the publication of notice as required, and the clerk of the board, Mr. E. P. McCornack, has no knowledge of any. See his sworn statement accompanying this report. It is, therefore, impossible for us to tell whether the 20 per cent. payment by applicants has been made in conformity with law or not. Evidently a tender of the 20 per cent. payment, not in accordance with law, is not a legal tender, and binds no one.

By comparing abstracts "A," "B," it will be seen that the 20 per cent. payment had been made upon only a small part of the State swamp lands prior to the 17th of January, A. D. 1879, the date when the Act of 1878 took effect, and consequently the remainder, amounting to 567,789.60 acres, are subject to entry under the Act of 1878, and, at \$2 50 per acre, will, when sold, yield the sum of 1,414,495 dollars.

Under the ruling of the State board, declared in the Owens-Ish case, which has been followed to this time, this large body of swamp lands has been disposed of, so far as the board could dispose of them, for \$1 00 per acre, a direct loss to the State of 848,697 dollars.

If the people of the State, by their Representatives in the legislative assembly, accept the ruling of the board as the correct one, then there is probably no need of a report from this committee, for there are no swamp lands worth mentioning to sell.

The records of the office of the State board for the last nine years show but four small sales of swamp land amounting to about 800 acres under the provisions of the Act of 1878, a pretty conclusive proof that the aforesaid ruling leaves comparatively nothing to sell under the later Act of 1878.

We, your committee, do not presume for a moment that we constitute a court of law, but in response to the requirements of the joint resolution under which we are acting, asking us to report upon what authority the State board have been issuing certificates or patents to swamp lands when the 20 per cent. was not paid until after January 17, 1879, it is proper to show the process by which the Act of 1878 has been and is defeated of its purpose.

Section 9 of the Act of 1878 provides that "all applications for the purchase of swamp and overflowed lands, or tide lands, made previous to the passage of this Act, which have not been regularly made

in accordance with law, or which were regularly made and the applicants have not fully complied with all the requirements of the law under which they were made, including the payment of the 20 per cent. of the purchase price, are hereby declared void and of no force or effect whatever." This section of law is as plain as words can make it, but Governor Thayer, acting as the head of the State board, said a "strict construction of this language might have the effect to forfeit all applications where the 20 per cent. had not been paid, although the applicant had fully complied with the law as far as circumstances would admit of a compliance." And, further, "The legislature may have had the power to suspend every application of that character and declare it a nullity, *but we don't think it so intended.*" * * *

The language of the law ought to be sufficient evidence of the intention of the legislature, but if more is wanting to show that the legislature did intend what it said, reference is hereby made to page 487 of the house journal of the year 1878.

The record is as follows: "Mr. Gates offered the following amendment and moved its adoption: Amend section 10, printed bill, by adding the following: Provided nothing in this Act shall be construed as to forfeit or defeat any legal rights heretofore acquired under the laws of this State, or to prevent applicants for the purchase of any swamp or overflowed land from proceeding to comply with the requirements of said laws within the time therein limited."

This amendment was defeated by a vote of 48 to 9, thereby showing that the house was almost unanimously opposed to allowing applicants to go on and complete their work of acquiring titles to land under the Act of 1870, and it also shows that the nine members who voted for the adoption of the amendment did not understand section 9 of the Act they were trying to amend, as Governor Thayer does. This legislative expression is conclusive as to the intent of the most numerous branch of the assembly which enacted the law of 1878, and there is not a particle of evidence that the senate thought or intended differently.

Three able lawyers co-operated in drafting the Act of 1878, and all of them have said that they were exceedingly surprised at the assertion of Governor Thayer, that the legislature did not intend to stop proceedings under the Act of 1870.

Even if it could be supposed that the intention of the legislature was left in doubt, there could be no doubt as to the duty of the "State board," which is composed of the Governor, Secretary of State and State Treasurer, all of them sworn to support the constitution of the State, to see that the laws are faithfully executed, and all of them bound by the most sacred obligations which can bind

men, to promote the general welfare, to conserve and protect the public interests, peace and prosperity. They can have no other rule of conduct than public justice and public policy, upon which all doubts as to the intent or meaning of law must turn. A contract, between individuals which is in violation of public policy has been declared void by the supreme court of this State and of other States, and if private persons may not offend against public policy, how much greater are the obligations of the highest officers of State who are especially commissioned to guard the public interests from invasions, without and within?

In the case of Ben Holladay vs. A. W. Patterson, to collect a subscription conditioned upon the laying of a railroad track in a certain line and building a depot at a certain place, which conditions were fulfilled, the supreme court of this State declared as follows: Fifth Oregon reports, page 177.

"It is not disputed but that contracts against public policy are illegal and void, but the appellant insists that the contract in question is not of that character. *Public policy* is a vague expression and few cases can arise in which its application may not be disputed. Mr. Story, in his work on contracts (§ 546), says: 'It has never been defined by the courts, but has been left loose and free of definition, in the same manner as fraud. This rule, however, may be safely laid down that wherever any contract conflicts with the morals of the times and contravenes any established interest of society it is void as being against public policy.'"

We do not wish to be understood as saying or implying that the State board at any time have had contracts with individuals or companies prejudicial to the interests of the State, but we do wish to be understood as saying that in their rulings as to the management and sale of all the lands of the State they must consider that the people of the State have a paramount interest, and this interest is expressed by the phrase public policy. Let us admit that the Act of 1870, relating to the selection and sale of swamp lands, was a public misfortune, in that it might lead to that most hateful of all conditions, land monopoly, but in so much more was the duty of our State officers increased to guard the public interests from unnecessary harm. Construction of a statute is a necessity with an officer who is called upon to obey it, but the construction must be a reasonable one, and, if possible, it must be subservient to the greater interests of society.

So, if a strict construction of the Act of 1878 would prevent land monopoly and give homes to the many and thereby relieve or prevent discontent and promote the general welfare, then plainly it was the duty of the State board to construe it strictly. But there is no

longer any doubt as to the meaning or intent of section 9 of the Act of 1878; none as to the intent of the legislature which passed it, for undoubtedly it means that all applications for the purchase of swamp and overflowed lands which have not been regularly made and those that, having been regularly made, the 20 per cent. was not paid upon until after the 17th of January, 1879, "are void and of no force or effect whatever."

We think, therefore, that the ruling of the State board as aforesaid, which has been their guide ever since its promulgation on the twelfth day of September, 1882, is erroneous and should be abandoned; and inasmuch as it is only a ruling of the board and without the force and effect of law, we have considered that all lands denominated swamp or overflowed upon which the 20 per cent. was not paid prior to the 17th of January, 1879, are still public lands within the reach of the Act of 1878 and subject to entry and sale under its provisions.

So also of applications which did not describe the tract or tracts the applicant desired to purchase, and which were not properly amended so as to conform to the law of 1870 before its repeal.

The description of the tract of swamp land claimed by H. C. Owen, which was the subject of controversy in the Owens-Ish case aforementioned, was declared regular by the State board; but if such a description as given in that case is regular, what, in the name of common sense, would be considered irregular?

The board evidently proceeded upon the theory of the old law maxim, "That is certain which may be rendered certain by measurement and calculation," but it was clearly a misapplication in that case. The question before them was not whether a deed conveying all the swamp land between Beatty's butte and Stein's mountain, and between certain parallels of latitude, would be a good deed, but whether the application of H. C. Owen described the tract or tracts of swamp land he desired to purchase "by the actual survey, by legal subdivisions or by fences, ditches, monuments or other artificial or natural landmarks." It is enough to say that the application of Owen did not describe the tract or tracts in any way. He merely claimed all the swamp land in a certain region of country, which is no more a description of the swamp land in it than it is of the dry land or the lakes it contained.

This decision, by its effects, was not only an offense against public policy, in that it withdrew from sale and settlement the greater part of the swamp lands in the State which otherwise might have been sold to actual settlers in half section tracts for \$2 50 per acre, but it doomed the swamp land office to a continuation of confusion from which no amount of clerical skill can extricate it.

Other circumstances contributed to the confusion and disorder aforesaid, one of the principal being the habit of the board during the administration of Governor Grover in receiving partial or 20 per cent. payments upon unsurveyed and unlisted lands, a great number of the applications made prior to 1878 being of that character. So far as we can determine from an examination of the records in the State land office, it was the custom to receive money with the application, and in many such nothing appears to have been done since as to reclamation or the payment of the remaining 80 per cent. of the purchase price, although in some of them more than ten years have passed since the first payment.

Another source of vexatious uncertainty as to the legal status of swamp land claims is the total absence of records that should have been kept of the meetings, decisions and general work of the State board of land commissioners for about four years during the Grover administration. The first meeting (recorded in a book) was on the 29th of September, 1870, and the last recorded meeting of which the present clerk knows anything was on the 11th of September, 1874. Thereafter, until the commencement of the administration of Governor Thayer, there are no book records, and none of any description sufficiently particular to be reliable. The investigating committee of 1878 also pronounced them so.

There is no evidence in the office that publication of notice was ever made in accordance with section 2 of the Act of 1870; and upon this much depends, as within 90 days from the date of said notice the 20 per cent. of the purchase price was required to be paid upon all applications within the county, and a tender of payment before publication would not be a legal tender. Moreover, an applicant tendering payment within the time specified should not be deprived of his legal rights on account of the negligence or omission of the agent of the State. We have found evidence in but one case of notice having been published, and that not in accordance with law. The statute plainly says: "So soon as the selection of swamp and overflowed lands in any county has been completed by said commissioner of lands," thereafter the notice must follow, but in the case referred to in Grant county there had been no completion of selections, and none to this day, and yet notice was given covering lands that one man, A. H. Robie, desired to pay the 20 per cent. upon; apparently a special favor. Upon the filing of said Robie is pasted a clipping from the Bedrock Democrat, which reads as follows:

SWAMP LAND NOTICE.

SALEM, OREGON,
March 20, 1877. }

Having received the maps showing the swamp and overflowed lands within township 29 S., ranges 31 and 32 E. and T. 30 S. and 31 E., and T. 28 S., R. 31 E., notice is hereby given that the board is now ready to receive the payment of 20 cents per acre for all said swamp and overflowed lands.

(Signed)

T. H. CANN,

Agent for the Board of Land Commissioners.

If this notice is a true statement, then the board misunderstood the law as to the point before mentioned, and further as to the time when publication should be made, viz.: after the board had received the official certificate of the county clerk of Grant county that he had received and filed the maps and lists of the completed selections in said county sent him by the State board. There is no evidence that the maps, etc., were ever sent to the clerk of Grant county; none that the said clerk ever returned his official certificate.

It is, however, rumored that the selections were made out of the usual and legal way to accommodate Mr. Robie, who has received a certificate for 22,055.67 acres of so-called swamp land. The greater part of these lands have been deeded since that time to Glenn and French.

The act of the State board in allowing persons whose applications were declared void by the law of 1878 to go on and amend their applications and pay the 20 per cent. has of necessity revived the repealed Act of 1870, and so we find the board making publication of notice of the completion of the selections in Grant county on December the 6, 1883, and in Lake county September 23, 1884, and decreeing, in absence of all law, that within 90 days from the date of the aforesaid publications applicants must pay the 20 per centum.

The result of such proceedings has been to give certificates of purchase to one man, H. C. Owen, calling for 484,779.85 acres. The applications and descriptions of Mr. Owen are so voluminous, uncertain and peculiar as to require separate mention, and accordingly they have been exhibited by the clerks in three papers, viz.: Exhibits "D," "E" and "F." Exhibit "D" contains a list, as near as we could determine, of his original application, designated by number, and reaching from December 8, 1870, up to January 9, 1879. These applications are for the most part exceedingly irregular, as they do not describe swamp land or dry land, but include both in

unknown quantities. As near as can be computed, they cover something over a million of acres, an amount vastly in excess of all the swamp lands in the State. They are, nevertheless the basis of his large claims (now mainly in the hands of other parties), but upon which or any of them no 20 per cent. payment was ever made until after the 17th day of January, A. D. 1879.

Exhibit "E" contains the amended applications of Owen, designated by the date, being selections from the original filings, and so difficult to trace as to be beyond the time allowed to this committee.

They are fourteen in number and cover over one millions acres.

It is quite probable that they overlap each other, but of that fact, as there are no maps or filings in the office of the State board, we cannot inquire.

Nearly all of them contain this announcement, viz.: "This application is supplemental to my application heretofore made," without naming them or designating them in any way.

Under the circumstances it would require several months' time to come to any accurate conclusion concerning them. They extend in time from July 30, 1878, to June 8, 1884, but no payment of 20 per cent. was made upon any of them prior to January 17, 1879.

Swamp land warrants were tendered in some cases and refused, and an application to the circuit court in Marion county for a peremptory mandamus compelling the State board to receive them was also refused by Judge Boise on the 30th of September, 1878.

They were not a legal tender for the reasons given by the judge of the court, and for another reason, the time had not arrived when the board could legally receive any tender. There had been no completion of the selections to be made in Grant and Lake counties and no published notice that the board was ready to receive money upon said lands in the aforesaid counties.

Exhibit "F" contains a list of the certificates of sale to Owen, nine in number, and dating from July 26, 1880, to March 10, 1885, described by legal subdivisions, and amounting as aforesaid to 484,779.85 acres, of which only a small part is listed to the State by the general government. Probably the greater part of it is not swamp land, as the lists at present received, including Ankeney's selections, many of which are known to be fraudulent, amount to less than 130,000 acres.

The 20 per cent. on these claims of Owen's, amounting to \$96,857 68 was paid in swamp land warrants and cash after the repeal of the law of 1870, viz.: after the 17th of January, 1879, and certificates issued to him by the State board at the times given in the list of Owen's certificates.

We have therefore entered in our list of lands belonging to the State and subject to entry under the law of 1878 all the lands certified by the State board to Owen under the dead Act of 1870.

In the case of W. B. Todhunter it will be seen by an inspection of the papers herewith marked Exhibits A, B and C, that 14,516.91 acres of land, certified by the *State board* to Todhunter, were not covered by his original application by legal subdivision, dated January 13, 1879, and cannot therefore have an older standing as a filing than his amended application of January 17, 1882.

Mr. Todhunter, however, claims these 14,516.91 acres by virtue of a quit claim deed from H. C. Owen, dated the 17th of January, 1882, and the said Todhunter's claim must rest upon the validity of Owen's. Owen, as usual, claimed all the swamp land in the townships containing Todhunter's descriptions, but upon which there was no payment of the 20 per cent. by Owen or any other person prior to the 17th January, 1882. See certificate of sale No. 131, in record book. A portion of Todhunter's certified land claims rests upon the validity of Abbott and Whitesides' application. The latter made their first application November 2, 1875, describing by metes and bounds unsurveyed lands in Grant county, containing 5049.5 acres. Abbott appeared again before the State board January 13, 1879, and presented an amended application, describing the lands aforesaid by meters and bounds, and accompanied by a map representing unsurveyed lands, in area about 5,800 acres, and tendered \$1,170 as the 20 per cent. thereon, which was refused by the board for the reason that the description covered unsurveyed lands. On January 18, 1882, Abbott and Whitesides deeded their rights in said lands to Todhunter for the sum of \$6,000. It also appears that on January 17, 1882, one day before the said deed was made, Todhunter presented another amended application, describing by legal subdivisions, supposed to cover the lands embraced by Abbott and Whitesides' application, and also lands claimed in that section of country by H. C. Owen, all of them covering 8,300.88 acres, being an excess of 3,251.38 acres above Abbott and Whitesides' original application, and supposed to be the amount claimed and deeded by Owen to Todhunter. Owen's claim to said land, however, rests upon an indefinite description, such as "all swamp lands in a certain number of townships," and also upon the more weighty fact that no money was paid upon it until January 17, 1882, when the State board issued a certificate of sale to Todhunter for the whole amount of 8,300 acres.

This latter amount has also been placed by us in the column of swamp lands subject to entry and sale under the Act of October 26, A. D. 1878.

In the case of John N. Vance of Baker county we find the following, to-wit.: On the 13th of January, 1879, four days before the Act of 1878 took effect, he tendered with his application to purchase swamp lands \$1,042, which was refused because the application was for unsurveyed lands. On the 5th of January, 1882, he paid \$160 on a filing of 800 acres, and obtained a certificate, No. 129. On the 22d of November, 1881, he paid in swamp land warrants \$1,120, and certificate No. 127 was issued to him for 5,600 acres, being a total of 6,400 acres, which we have placed on our list, abstract "B," for sale at \$2 50 per acre.

In the case of B. F. Hutchinson, which we have examined critically, it appears that he made application to purchase swamp land, fairly described by meters and bounds, amounting to 500 acres, and paid thereon \$100, as the 20 per cent., prior to January 17, 1879. After this latter date, and the listing of the lands within his description, it was found that the surveyor had miscalculated the area in his original description by 62.31 acres, and the board allowed him to pay \$12 46, the 20 per cent. on this difference, and issued to him a certificate covering the whole of his claim. Your committee considered that the transaction was in good faith by the applicant and that the State board acted properly and within the intention of the statute. We have therefore placed the Hutchinson claim on abstract "A" among those who paid the 20 per cent. before the repeal of the law under which they filed.

Although we are satisfied that very much legal uncertainty attaches to the list of applicants on abstract "A"; that, technically considered, many of them may be deficient, and that while those applicants have been working and waiting for the confirming to the State the lands claimed by them, the ten years have passed in which they were required to make and prove reclamation and pay the remaining 80 per cent. of the purchase money, yet we are of the opinion, and hereby recommend, that where actual settlers have proceeded in good faith their rights to a limited quantity of land should be protected by special enactment of the legislative assembly.

In the abstracts and exhibits herewith accompanying there is nothing requiring further special mention in order that they may be fully understood.

On account of the shortness of the time in which to make our report and the imperfections in the records pertaining to swamp land matters during the first eight years after the passage of the Act of 1870, our work will be found necessarily imperfect and subject to some amendment in the future, but as to the principal object of this investigation, viz: to ascertain the number and amount of applications to purchase swamp lands where the 20 per centum was paid

prior to the repeal of the Act of 1870, and also to ascertain the number and amount of applications where the 20 per centum was paid since the repeal of said Act, we believe this report will be found in the main correct.

Section 4 of the Act of 1870 declares that, "No patent shall be issued to any applicant for any swamp lands until the applicant therefor has proved, to the satisfaction of said commissioner, that the land for which he claims a patent has been drained or otherwise made fit for cultivation." And further, "That all swamp land which has been successfully cultivated in either grass, the cereals or vegetables for three years shall be considered as fully reclaimed within the meaning of this Act."

This is very plain language; everybody can understand it; argument or analysis cannot make it plainer; and yet the deeds to nearly all the swamp lands sold by the State have been given in defiance of it, if we are to judge by the proofs of reclamation now on file in the office of the State board.

All of the so-called proofs to which we refer admit that there has been no cultivation as commonly understood. According to Webster's dictionary the word cultivation as applied to land means tillage, *i. e.*, plowing, harrowing, hoeing, etc., and includes all operations which stir or turn the soil.

This also is the common meaning. Cultivating the soil or land in any crop is plowing and sowing or planting seed, either of grain, vegetables or grass, etc.

The test of reclamation, as given by the statute, is that an agricultural crop shall have been raised three years prior to the proof of reclamation.

What do the so-called proofs, made by affidavits of *disinterested* parties, say?

Not one of them declares that a cultivated crop of any description was produced at any time. On the contrary the "proofs" show that the claimants cut wild grass and pastured their stock upon the Oregon meadows, called swamp lands; that such use benefited the lands and that if the waters on or about them were drained away said lands would be injured thereby. Except in the misuse of the word husbandry the witnesses would not be held for perjury, as they probably stated the truth.

What they stated, however, is upon its face a confession that the swamp lands to which deeds have been issued have not been reclaimed or made fit for cultivation, and that no agricultural crops have been produced upon them.

They swore that the applicants cut wild grass upon them; that some tame grass was found growing among the wild grass, and upon such proofs deeds were demanded.

The only question for the State board to decide was, "Is wild grass an agricultural crop?" or "Does the trampling of horses and cattle upon swampy land make it dry and fit for cultivation?"

In what way these questions were answered in the minds of the State officers composing the State board is not known, but it is a fact of which there is no doubt that upon such proofs deeds have been issued to claimants for many thousand acres of so-called swamp land.

Section 4 of the Act of 1870 declares that "all swamp lands upon which no such proof of reclamation and payment has been made shall revert to the State," and we therefore append a list of lands upon which no such proof of reclamation has been made.

Section 3 of the Act of 1870 made it the duty of the commissioner to issue to the applicant a receipt for the 20 per centum when paid, and upon the payment of the 80 per centum and proof of reclamation the same officer was instructed to give the applicant a patent in the name of the State.

Upon the records it appears that the State board, instead of issuing a simple receipt as the law required, substituted a regular certificate of sale, signed by the State officers and bearing the seal of the board.

It is scarcely necessary to say that such a certificate is unauthorized and extra legal, although it stipulates that upon certain conditions, viz., the payment of 80 per centum and proof of reclamation, a patent would follow.

This certificate of sale was formulated in 1872, soon abandoned, but readopted by the State board after the repeal of the Act of 1870, which required a receipt, and was no doubt intended to confer more rights upon an applicant than a simple receipt would.

A receipt was evidence that money had been paid. The certificate upon its face is evidence that the land described therein had been sold and that part of the money had been paid.

The claim of an applicant holding a receipt might be set aside at any time within ninety days after the publication of notice upon proof that some other person had filed before him, but granting that the board had authority to issue a certificate, there was no going behind it except for fraud, and upon it courts can issue writs of ejectment against all persons going upon the lands described in the said certificate of sale for the purpose of acquiring title under the laws of the United States or this State. See Bellinger's opinion.

It is a curious fact that the business of the State board was so loosely conducted at one time that while one man (H. C. Owen) held a certificate of sale, it was proved by a contestant that he filed first upon the land in controversy, held the oldest receipt, and was

the first to describe the tracts accurately by amended filings. A simple reference to the facts ought to have been enough to establish the contestant's claim without cost to himself; as it was, however, the extraordinary legal importance of the sealed certificate of Owen, in the minds of the State board, brought about a formal suit costing him several hundred dollars.

It will be seen by consulting page four of the biennial report of the board of land commissioners to the present session of the legislative assembly, that the board for eight years has considered that a tender of money, or swamp land warrants, at any time, though refused, had the same force and effect as an actual payment. On the contrary, according to the law of 1870, the 20 per centum was not due and payable until after the lands were selected and approved, and not until after the publication of notice that the lists of selection had been approved and that they had been filed in the office of the county clerk of the county in which such lands were situated. No lawyer will assert that a tender of money before it is due is a legal tender, or that a tender of money to the State before the law makes it payable binds the State adversely to the provisions of the statute which provides for the payment, and yet the State board by its own admissions and the sworn statement of its chief clerk has proceeded in utter disregard of the law which they were sworn to administer in conformity with public interests. As these tenders of payment in swamp land warrants were made and refused while the Act of 1870 was in force, and at a time when by that law no legal tender could be made, viz., before the listing and approval of the lands and before legal publication of the fact, the applicants acquired no rights on account of such tender, and the lands they were claiming would have passed over for sale under the Act of 1878, which only fixed the minimum price for them at one dollar per acre.

The board in their last report claim to have been acting for the best interests of the State in selling its swamp lands as much and as fast as possible at \$1 per acre, but it is a well known fact that these same lands are resold by the holders of the extra legal certificates and bogus reclamation deeds for from two to six dollars per acre, and there is no valid reason why the State could not sell them as well.

Your committee, however, have not weighed this matter wholly upon the money basis. There are other and greater interests at stake, viz.: Whether large portions of the public domain shall be certified and sold contrary to law to men who will use them to advance their own private interests, or whether they shall be jealously guarded and sold under law for the promotion of public interests.

We do not hesitate to avow that, while we intend no private wrong or injustice to any individual applicant under the Act of 1870, we feel it our duty as representatives of the people to vindicate the people's rights, and insist that the laws shall be faithfully administered.

Whatever course may be pursued by the legislature in trying to lessen the evils arising from past mismanagement and departure from the rule of law, such evils can only be in part modified or prevented. For, notwithstanding the precautions which the board says it has taken, it has issued deeds and certificates to lands which have not been formally approved to the State by the secretary of the interior and to which the State has no shadow of title. Now, although the board says that "payments have been received upon the express understanding that the purchase was conditional and subject to the approval of the State of the lands on which the payments were made, and this condition was set forth in the certificate of payment," does anybody believe that the holders of said deeds will not besiege the halls of legislation during the next quarter of a century asking a return of the money paid by them as a consideration for these false conveyances?

Undoubtedly they will, and such a state of things is not only a great hindrance to just and proper legislation, and therefore exceedingly costly, but it will be a source of corruption from which any State might earnestly ask a deliverance.

J. B. DIMICK,
J. P. WAGER,
JOHN J. DALY,
ROBERT McLEAN,
C. F. HICKS.

**SWORN STATEMENT OF E. P. M'CORNACK, CLERK OF BOARD OF SCHOOL
LAND COMMISSIONERS.**

Question. At what time did you become clerk of the board of commissioners for the management and sale of school, university and State lands, and how long have you served as such?

Answer. I became clerk November 13, 1878, and have held the office until January 31, 1887.

Q. Are you well acquainted with the records in that office?

A. I am.

Q. Are there any records in that office showing the date and fact of publication of notice of the completion, approval and filing of lists and maps, referred to in section 2 of the Act "providing for the selection and sale of the swamp and overflowed lands belonging to State of Oregon," approved October 26, 1870?

A. It appears that the board did order (see page 100 of records) duplicate copies of maps of selections reported by deputy commissioner J. N. T. Miller in Jackson county, and that when such were made and approved by the board to be transmitted to the county clerk of Jackson county, and when the receipts of them should be acknowledged according to law by said clerk then the clerk of this board is ordered to advertise the land selected and approved in Jackson county in a newspaper published in that county, but the records do not show whether it was done or not.

Q. Were there any completed and approved lists and any publication of notices prior to the 17th day of January, 1879, covering the lands embraced in certificates of sale 123, 124, 127, 131, 133, 134, 135, 136, 138, 139, 140, 141, 142, 143, 144, 145, 146, issued to H. C. Wilson, W. B. Todhunter, C. C. Beekman, McConnahaughy, J. N. Vance and Owens on lands in Klamath, Lake and Grant counties?

A. I do not know.

Q. Had the State any agent in the field selecting swamp land prior to the 17th of January, 1879, and if so, state who and give a list of his selections?

A. The State had selecting agents in the field prior to that time, but I am unable to give lists of such agents or description of the lands selected.

Q. Did the State board employ any other means of selecting swamp lands than by the one mentioned in the last question?

A. I do not know.

Q. During your term of office did the State board receive the 20 per cent. payment before the approval and publication required in the second section of the Act of 1870 before referred to?

A. I cannot say, as I don't know what lands if any were advertised prior to January, 1879.

Q. Have you any knowledge from any source, or are there any records in any of the State offices going to show that the State board did, prior to January 17, 1879, receive the 20 per centum on lands as to which there had been no approval and publication and approval as required by the second section as aforesaid?

A. From my examination of the papers I am convinced that it did, but I find no formal records of such an order.

Q. Had the board any ruling upon this question of the time the 20 per centum should be paid, especially as it related to the approval and publication as before referred to?

A. None that I find of record.

Q. Has there been any change in the ruling of the board upon this point?

A. None appears of record.

Q. Has the board been following the decision of Governor Thayer in the Owens-Ish case, as to the points decided therein, viz.: the time when the 20 per cent. might be paid and the kind of description which might be termed regular?

A. It has.

Q. From your knowledge of the records before referred to, was it the practice by the board during the time from 1870 to 1878 to accept money along with applications to purchase swamp lands, and before the listing, approval and publication as provided in section 2 of the Act of 1870?

A. It appears that the applications and payment were often received on the same day, apparently without reference to the publication of notice.

Q. Has the board, at any time since you became its clerk, received said payment before publication of notice?

A. Yes; it has received such payment before any publication of notice was made that I know of, but the publication might have been made before I became clerk, and therefore unknown to me.

E. P. McCORNACK.

Subscribed and sworn to before me this 7th day of February, 1887.

J. B. DIMICK.

Chairman of Joint Committee on Swamp Land Investigation.



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TABULATED STATEMENT OF APPLICATIONS FOR THE PURCHASE OF SWAMP AND OVERFLOWED LANDS.

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ABSTRACT A.

List of applicants to purchase Swamp and Overflowed or Tide Lands under the Act of October 26, 1870, upon which the 20 per cent. was paid prior to the 17th of January, A. D. 1870.

NAME OF APPLICANT	ASSIGNEE	DATE OF APPLICATION							REMARKS.
Quincy A. Brooks	S. O. S. L. Co.	Jan 16, '72	19,978.36	37, 38, 39, 40, 41 S	7, 8, 9, 10 E	* April 4, 1872	3 985 03	Bonds	
J. D. Fay	W. P. Miller	Nov. 17, '70	7,601.56	41 S	11, 12 E	Oct. 1, 1872	1,520 30	Cash	
John F. Miller		7, '70	611 16	6 S	1, 2 W	April 9, 1872	122 23	do	
John F. Miller		7, '70	5,227.11	36, 37, 38, 39 S	7, 8 E	Sept. 5, 1872	89 74	do	
J. D. Fay		Aug. 10, '72	1,522.05	32, 33 S	5 E	May 9, 1872	305 00	do	Jackson County
Jacob Fleishner	George H. Small	Nov. 11, '70	4,940	40, 41 S	13 E	Jan 14, 1873	932 00	do	Silver Lake
C. C. Beckman		29, '70	7,000	17 S	13, 14 E	Sept 16, 1872	1,024 00	do	Langell's Valley
John Fletcher		Dec. 10, '70	43.60	1, 2 N	3 W	Aug. 6, 1872	8 75	do	
J. C. Hawthorne		12, '70	1,536.10	16 S	1 W, 1 E	April 18, 1872	311 02	do	
Daniel Test		12, '70	40	2, 3 N	5 W	June 14, 1872	8 00	do	
Andrew D. Ellis		12, '70	637 81	9 N	1 W	April 18, 1872	127 56	do	
John Adair, Jr		April 14, '71	4,384.85	8 N	7 W	6, 1872	882 84	do	
M. Sells		14, '71	640	8 N	4 W	May 15, 1872	128 00	do	
M. Sells		15, '71	8,148.98	23 S	7 W	Feb. 15, 1872	712 34	do	
Rose & Sheridan		24, '71	1,060	3 N	13 W	8, 1872	200 00	do	
C. Bousier		May 12, '71	347.40	4 N	1 W	26, 1872	21 48	do	Columbia County
Arwin Rosenbelm		15, '71	370.83	27 N	1 W	14, 1872	73 12	do	Columbia County
		15, '71	290	26, 27, 28 S	13 W	6, 1873	80 00	do	Columbia County
		15, '71	5,682.75	7 N	12, 13 W	6, 1873	1,196 75	do	Columbia County
		Jan. 18, '71	240	4 N	2 W	Jan 30, 1872	48 00	do	Columbia County
		Mar. 4, '71	339.97	7 N	1 W	Feb. 21, 1872	08 00	do	Columbia County
			240	7 N	3 E	Jan. 30, 1872	8 00	do	Columbia County
		22, '71	520	7 N	1, 2 W	Feb. 14, 1872	103 70	do	Columbia County
		25, '71	1,631.10	1, 2, 3, 4 N	1 W	April 16, 1872	327 00	do	Columbia & McIntosh
		25, '71	160	8, 9 S	5 W	17, 1872	32 00	do	Columbia County
		29, '71	2,003.86	8, 9 S	6 W	18, 1872	400 77	do	Clatsop County
Andrew D. Ellis		April 7, '71	1,557.90	1 N	4, 5 E	May 17, 1872	358 00	do	Malheur County
M. Sells		11, '71	626.04	9 N	7 W	Feb. 13, 1872	126 30	do	Clatsop County
	line	Mar. 15, '71	1,731	8, 4 N	38 E	April 11, 1872	346 21	do	Union County
		May 15, '71	53	26 S	12, 13 W	Feb. 11, 1873	10 00	do	Cos County
		June 5, '71	700	23 S	12, 13 W	8, 1872	152 00	do	Douglas County
		6, '71	424.71	7, 8 N	9 W	Jan. 22, 1872	85 00	do	Clatsop County
	re & Haynes	7, '71	99.02	3 N	10 E	March 5, 1873	20 00	do	Wasco County
		July 6, '71	40	29 S	13 W	Jan. 29, 1873	8 00	do	Cos County
		7, '71	80.52	26 S	13 E	Feb. 18, 1873	7 90	do	Cos County
		Sept. 15, '71	138.66	38 S	6 E	April 8, 1872	27 73	do	Lake County

John D. Caughlin	Sept. 26, '71	30.75	20 S	9 S Sept. 30, 1872	6 15	Cash
Robert Wade	Oct. 20, '71	16.00	21 S	11 W Feb. 28, 1872	3 35	do
Emile Schanno	Nov. 2, '71	43.80	2, 3 N	12, 13 E Mar. 11, 1873	10 00	do
Wm Collins	Oct. 10, '71	145.73	2 N	9 E Sept. 4, 1873	29 14	do
Henri Schmidt	Nov. 9, '71	60.82	2 N	12 E Mar. 22, 1873	12 16	do
W. W. Baker	Dec. 14, '71	88.28	8 S	39 E June 17, 1872	17 64	do
John F. Miller	Dec. 21, '71	264.70	0 S	2 W April 9, 1872	52 94	do
T. H. Cann	Dec. 30, '71	1,083.19	7, 9 N	10, 7 W Sept. 6, 1872	337 15	do
Rose Barker, Lane and Smith	June 3, '72	1.00	22 S	12 W Feb. 8, 1872	200 00	do
Moses Seller	Feb. 15, '72	57.22	8 N	6 W Mar. 15, 1873	11 44	do
	Apr. 19, '72	86.24	3 N	10 E Mar. 5, 1873	17 25	do
	May 9, '72	117.82	2, 3 N	8 E Dec. 22, 1873	23 60	do
	June 4, '72	76.15	14 S	16 E Dec. 6, 1872	16 00	do
	4, '72	80	14 S	16 E Feb. 23, 1873	16 00	do
	4, '72	31 16	14 S	16 E Feb. 28, 1873	8 00	do
	4, '72	80	14 S	17 E Oct. 2, 1873	16 00	do
	15, '72	120	8 S	16 E Dec. 6, 1872	24 00	do
	5, '72	240	15 S	42 E Feb. 27, 1873	56 00	do
	July 20, '72	1,440	30 S	35 E July 16, 1875	380 00	do
Albert H. Rohle	Aug. 5, '72	40	21 S	11 W Aug. 8, 1871	8 00	do
John Dickey	9, '72	120	3 N	29 E July 7, 1871	24 00	do
S. L. Lisle	9, '72	80	3 N	29 E July 7, 1871	16 00	do
Hugh Fields	9, '72	360.02	4 N	28 E July 5, 1873	72 25	do
J. H. Fruit	9, '72	49.45	6 N	34 E July 5, 1873	9 90	do
J. B. Leeds	12, '72	10.93	21 S	11 W Aug. 12, 1872	2 18	do
Neal McKenzie	Nov. 28, '72	111.14	21 S	11, 12 W Dec. 4, 1872	22 25	do
Daniel S. Kelsey	Dec. 3, '72	86.65	26 S	12 W Dec. 3, 1872	17 33	do
Smith & Durbin	19, '72	194.87	8 S	15, 16 E Nov. 18, 1873	23 77	do
N. H. Gatca	27, '72	122.90	3 N	9 E Mar. 10, 1873	24 58	do
Jonathan Kenny	30, '72	160	16 S	43 E Aug. 8, 1877	32 00	do
A. H. Robie, E. Otis Perkins & Lester	Nov. 16, '72	30.040	26, 28 S	31 & 35 E Nov. 16, 1872	6,000 00	do
Joseph Ashley	23, '72	40	21 S	11 W Nov. 16, 1872	8 00	do
James D. Dattel	23, '72	1.0	8 S	16 E June 24, 1873	24 00	do
Augustus Hill	23, '72	80	2 N	32 E July 7, 1873	16 00	do
W. S. Reed	25, '72	40	2 N	32 E July 7, 1873	8 00	do
Henry H. Bay	Oct. 7, '72	38.25	21 S	11 W Nov. 25, 1872	7 65	do
J. C. Haney	19, '72	57.57	21 S	11 W Oct. 9, 1872	11 50	do
S. McDowell	19, '72	40	1 S	24 E July 7, 1873	8 00	do
W. K. Ish	28, '72	160	16 S	43 E Mar. 8, 1873	32 00	do
Atterberry, Mulkey & Bowman	Aug. 19, '72	880	15, 16 S	43 E Aug. 8, 1873	176 00	do
R. McKinney	26, '72	120	8 S	16 E Dec. 6, 1872	24 00	do
Stephen Noel	27, '72	18.20	21 S	11 W Sept. 17, 1872	3 84	do
Jeremiah Despain	27, '72	40	21 S	11 W Aug. 27, 1872	8 00	do
Isaac Block	Sept. 10, '72	222 30	5 N	27 E July 5, 1873	44 46	do
Bradford B. Stewart	30, '72	278.50	15 S	42, 43 E Jan. 14, 1873	56 00	do
James Lawson	Mar. 25, '73	762 72	5 N	29 E July 8, 1873	152 54	do
C. M. Clark	Apr. 14, '73	120	15 S	17 E Sept. 29, 1871	24 00	do
W. H. Tate	18, '73	40	21 S	11 E April 15, 1878	6 00	do
David Graham	22, '73	120	10 S	15 E Aug. 8, 1878	24 00	do
		51.41	8 N		24 70	do

ABSTRACT A—CONTINUED.

NAME OF APPLICANT.	ASSIGNEE.	DATE OF APPLICAT'N	NUMBER OF ACRES.	TOWNSHIP.	RANGE.	DATE 20 PER CT. PAYMENT.	AMOUNT PAID.	WHAT PAID.	REMARKS.
James M. Allen	---	May 6, '73	40	15 S	16 E	Oct 3, 1873	8 00	Cash	Wasco County
John Powell	---	6, '73	40	15 S	16 E	29, 1873	8 00	do	Wasco County
Tilford Moore	---	6, '73	120	8 S	16 E	10, 1873	24 00	do	Wasco County
Robbins & Wygant	---	4, '73	110 15	3 N	16 E	6, 1873	22 00	do	Wasco County
Thos B. James	---	6, '73	160	15 S	17 E	10, 1873	32 00	do	Wasco County
Edwin Evans	---	6, '73	160	12 S	15 E	4, 1873	32 00	do	Wasco County
Wm. S. Huston	---	6, '73	100	12 S	15 E	4, 1873	32 00	do	Wasco County
Wallace Vidler	---	6, '73	200	7 S	16 E	Oct 4, 1873	40 00	do	Wasco County
John H. Ward	---	10, '73	160	7 S	16 E	May 28, 1874	32 00	do	Wasco County
W H Quinn	---	11, '73	160	6 S	16 E	Aug. 30, 1873	24 00	do	Wasco County
Fruit, Moore and Stewart	---	Dec. 31, '73	800	5 S	37, 38 E	June 30, 1885	160 00	do	Union County
J. M. Mardon	---	June 27, '73	20 65	3 N	12 E	Mar 6, 1876	4 13	do	Wasco County
John Perley	---	Feb. 1, '73	250	3 S	39 E	May 5, 1873	56 00	do	Union County
P. P. Raney	---	18, '73	160	15 S	42 E	Feb. 18, 1873	32 00	do	Baker County
Henry A. Bay	---	25, '73	39.47	21 S	11 W	Feb. 25, 1873	7 89	do	Douglas County
A. L. Brown	---	27, '73	120	16 S	43 E	27, 1873	24 00	do	Baker County
Archibald Turner	---	27, '73	40	16 S	43 E	27, 1873	8 00	do	Baker County
Samuel McDowell	---	27, '73	400	16 S	43 E	25, 1873	32 00	do	Baker County
J. & S. Newnall	---	4, '73	600	10, 17 S	19 E	Dec 1, 1873	120 00	---	Wasco County
G. W. Hagan	---	25, '73	440	15 S	17 E	26, 1874	111 85	---	Wasco County
W. M. Scott	---	May 18, '73	120	15 S	16 E	Sept 29, 1873	24 00	---	Wasco County
Jas. W. Vanderpool	---	May 21, '73	160	15 S	16 E	June 26, 1875	32 00	---	Wasco County
Win Bowman	---	June 10, '73	80	8 S	16 E	Sept. 25, 1873	16 00	---	Wasco County
Jas. W. Vanderpool	---	14, '73	40	14 S	15 E	Aug. 31, 1874	8 00	---	Wasco County
Emele Shanuo	---	July 31, '73	39.07	1 N	13 E	June 14, 1873	7 81	---	Wasco County
H. F. Hutchison	---	Aug. 22, '73	562.31	12 S	11 W	Apr 23, 1883	12 46	---	Wasco County
Alex Parish	---	Sept. 3, '75	100	13 S	10 E	May 26, 1874	32 00	---	Wasco County
Henry Coleman	---	Oct 11, '73	40	9 S	15 E	Nov. 15, 1873	8 00	---	Wasco County
S. G. W. Wood	---	Oct 14, '73	160	12 S	15 E	Oct. 14, 1873	32 00	---	Wasco County
Willis & Scott	---	Nov. 11, '73	160	11 S	15 E	Dec. 11, 1873	22 00	---	Wasco County
Wm. Noble	---	Jan. 15, '78	80	16 S	24 E	Nov. 11, 1875	32 00	---	Wasco County
J. Despain	---	Jan. 29, '78	80	2 S	32 E	8, 1874	16 00	---	Wasco County
Lewis Estes	---	July 3, '74	26	1 N	1 E	Feb. 5, 1874	1 35	---	Wasco County
L. S. Jenne	---	June 24, '74	120	2 N	30 E	Feb. 18, 1874	80 00	---	Wasco County
Arnold Custer	---	Aug. 18, '74	240	12 S	20, 22 E	Jan 15, 1875	26 00	Cash	Wasco County
J. M. Johnson	---	Aug. 18, '74	80	7 S	16 E	Aug. 15, 1874	48 00	do	Wasco County
Mary E. Cook	---	Sept 1, '74	200	16 S	18 E	May 13, 1875	16 00	do	Wasco County
Jerry Luckey	---	Sept 1, '74	120	15 S	11 E	Oct. 4, 1874	24 00	do	Grant County
W G Pickett	---	28, '74	160	16 S	24 E	Nov. 27, 1874	32 00	do	Wasco County
Wm. Adams	---	29, '74	480	14 S	20 E	Oct. 24, 1874	96 00	do	Wasco County
A. & J. L. Carey	---	29, '74	400	17 S	24 E	Sept. 29, 1874	80 00	do	Grant County
Stewart & Swich	L. Elkins	Oct. 13, '74	320	7 S	19 E	June 26, 1875	63 50	do	Wasco County

	\$	74	40	9 E Oct.	& 1874	Cash	Union County.
22,	76	120	148	9 E Jan.	22, 1874	do	Wasco County.
8,	74	80	148	22 E Nov.	8, 1875	do	Wasco County.
17,	74	160	128	12, 13 W	17, 1874	do	Wasco County.
2,	74	240	258	22 E Dec.	27, 1874	do	Coos County.
19,	74	320	128	10 E June	19, 1874	do	Wasco County.
8,	74	80	118	15 E Dec.	23, 1875	do	Wasco County.
31,	74	40	99	16 E Jan.	31, 1874	do	Wasco County.
6,	75	280	78	18 E June	29, 1875	do	Wasco County.
16,	75	160	148	4 W Feb.	18, 1875	do	Wasco County.
8,	75	44	148	11 E Aug.	10, 1875	do	Linn County.
10,	76	247.75	Unsurveyed	15, 16 E Sept.	10, 1876	-----	Grant County.
5,	76	200	14, 15 S	16, 17 E July	5, 1876	-----	Lake County.
8,	76	720	8 S	16, 17 E Jan.	17, 1877	-----	Wasco County.
9,	77	480	8 S	9 E Feb.	9, 1877	-----	
15,	77	80	48	18 E Jan.	15, 1877	-----	
1,	78	26	9 N	9 E May	1, 1878	-----	
5,	78	62.53	8 S	23 E June	26, 1878	-----	
24,	78	120	8 S	18 E Jan.	13, 1879	-----	
8,	78	15	3 N	10 E May	8, 1876	-----	
24,	78	40	128	9 W Aug.	24, 1875	-----	
26,	75	40	168	30-34-5 E Jan.	26, 1876	-----	
13,	75	160	36 S	20 E Mar.	17, 1875	-----	
2,	75	5,850	12 S	18 E W	1, 1875	-----	
1,	75	320	4 S	19 E April	1, 1877	-----	
5,	75	16	26 S	30, 1875	3, 25	-----	
23,	75	40	68	May 17, 1875	8 00	-----	
17,	75	1,200	Unsurveyed	31 E June	240 00	-----	
10,	75	80	2 N	17 E Nov.	16 00	-----	
1,	77	783.15	40 S	Dec. 20, 1877	156 00	-----	
20,	77	40	8 S	23 E	40 00	-----	
23,	77	80	8 S	24 E	16 00	-----	
23,	77	80	8 S	25 E	8 00	-----	
15,	77	40	8 S	26 E	8 00	-----	
15,	77	40	40 S	14 E	32 00	-----	
24,	77	160	2 N	32 E	8 00	-----	
25,	77	40	41 S	11 E Jan.	17 07	-----	
23,	78	85.85	8 N	4 W	25 10	-----	
17,	78	125	30 S	16 E Mar.	20 50	-----	
24,	78	102.60	27 S	15 E Aug	16 00	-----	
8,	77	80	27 S	13 E	16 00	-----	
8,	77	80	27 S	18, 1877	64 00	-----	
18,	77	320	40 S	15, 16 E	40 00	-----	
8,	77	200	40 S	27, 1877	16 00	-----	
27,	77	80	5 S	Dec. 8, 1877	40 00	-----	
2,	77	200	26 S	14 E Dec.	104 00	-----	
5,	77	320	30 S	17 E Nov.	8 00	-----	
1,	77	40	12 S	20 E May	10 60	-----	
7,	77	38	26 S	19 W	10 20	-----	
7,	77	51	25 S	18 W	10 20	-----	

ABSTRACT A—CONTINUED.

NAME OF APPLI- CANT.	ASSIGNEE.	DATE OF APPLICAT'N	NUMBER OF ACRES.	TOWNSHIP.	RANGE.	DATE 20 PER CT. PAYMENT.	AMOUNT PAID.	WHAT PAID.	REMARKS.
Joseph Adkins	-----	May 9, '77	80	3 S	40 E	May	16 00	Cash	Union County.
McLellan & White	-----	23, '77	40	30 S	15 W	23, 1877	8 00	do	Coos County.
A. R. Conley	-----	25, '77	80	28 S	15 E	25, 1877	16 00	do	Lake County.
Wm. Kaiser	-----	14, '77	160	3 S	38 E	July	32 00	do	Union County.
Perry Hoyt	-----	23, '77	120	34 S	19 E	23, 1877	24 00	do	Lake County.
D. H. Lambert	-----	24, '77	160	37 S	24 E	24, 1877	32 00	do	Umatilla County.
Dufor Bros	-----	26, '77	2,210	2 S	10, 11 E	Aug. 7, 1877	448 00	do	Wasco County.
Arthur Langell	-----	5, '77	600	39 S	12 E	Feb. 6, 1877	120 00	do	Lake County.
L. S. Dyar	-----	14, '77	1,191.22	37 S	9 E	Aug. 7, 1877	237 48	do	Lake County.
O. C. Applegate	-----	13, '77	640	36 S	14 E	April 21, 1877	128 00	do	Lake County.
George Nurse	-----	23, '77	83.76	38 S	9 E	23, 1877	16 75	do	Lake County.
G. S. Washburn	-----	23, '77	41.30	16 S	5 W	May 2, 1877	8 25	do	Lane County.
G. H. Penland	-----	24, '77	160	39 S	17 E	April 24, 1877	32 00	do	Lake County.
D. McCulley	-----	21, '78	200	2 S	45 E	Sept. 21, 1878	40 00	do	Union County.
B. C. Davis	-----	6, '78	120	2 S	44 E	Dec. 6, 1878	2 50	do	Union County.
Venator & Eccleston	Venator	9, '78	442.85	40 S	20 E	9, 1878	80 50	do	Lake County.
J. F. Munz	-----	26, '78	40	36 S	14 E	26, 1878	8 00	do	Lake County.
A. F. Wallace	-----	H, '79	120	28 S	13 E	Jan. 11, 1879	24 00	do	Lake County.
W. B. Todhunter	-----	13, '79	26,558.54	7 N	2 W	Feb. 17, 1882	263 70	do	See notes A, B, C, r.g.
Ira Perrin	-----	6, '78	80	32, 33 S	21, 22 E	Feb. 25, 1878	16 50	do	Columbia County.
Miller & Riggs	Jackson & Cox	25, '78	1,200	41 S	25 E	March 5, 1878	240 00	do	Lake County.
Jopp & Brown	-----	4, '78	840	9 S	25 E	14, 1878	169 00	do	Grant County.
Jas. A. Hughes	-----	14, '78	80	39 S	25 E	April 10, 1878	16 00	do	Grant County.
H. Lewis	-----	9, '78	534.20	38, 39 S	24 E	Sept. 19, 1878	106 80	do	Lake County.
R. F. Connoughby	-----	14, '78	880	31 S	16 E	May 17, 1878	176 00	do	Grant County.
A. Harrington	-----	17, '78	25.83	unsur	veyed	17, 1878	5 20	do	Lake County.
W. & F. Bensley	-----	17, '78	1,840	39 S	17 E	21, 1878	376 00	do	Wasco County.
Penland & Tullock	-----	21, '78	159.69	12 S	22 E	31, 1878	31 93	do	Lake County.
J. M. Johnson	-----	31, '78	80	40, 41 S	15 E	June 18, 1878	16 00	do	Wasco County.
N. Hall	-----	18, '78	178.59	40, 41 S	15 E	18, 1878	35 70	do	Lake County.
H. C. Lewis	-----	18, '78	137.51	39 S	19 E	21, 1878	27 51	do	Lake County.
W. H. & H. Denny	-----	21, '78	120	27 S	23 E	Sept. 6, 1878	24 00	do	Lake County.
Jackson & Co	-----	22, '78	613	7 N	5 W	Aug. 30, 1878	122 60	do	Columbia County.
J. H. Buchanan	-----	30, '78	80	39 S	17 E	Sept. 6, 1878	16 00	do	Lake County.
Geo. H. Penland	-----	6, '78	240	38 S	17 E	6, 1878	48 00	do	Lake County.
A. W. Kinsey	-----	6, '78	80	unsur	veyed	18, 1878	16 00	do	Wasco County.
W. L. Calavan	-----	18, '78	unsur	14 S	19 E	Oct. 11, 1878	120 00	do	Wasco County.
John Schmer	-----	11, '78	160	12 S	22, 23 E	Jan. 13, 1879	32 00	do	Wasco County.
Thos. Keaton	-----	22, '78	3.0	11 S	29 E	13, 1879	64 00	do	Grant County.
John Wolfinger	-----	22, '78	2,040	38 S	17 E	Nov. 12, 1878	403 00	do	Lake County.
D. Chandler	-----	12, '78	120	quantity	of land	Sept. 6, 1878	24 00	do	tendered and refused.
J. F. Miller & Q. A.	-----	Sept. 6, '78	unknown	of land	--- Sept.	6, 1878	7,500 00	wt'nts	
††Brooks	-----	Sept. 6, '78	unknown	of land	--- Sept.	6, 1878	7,500 00	wt'nts	

††The above application was made to cover the swamp land in the application of John F. Miller, Quincy A. Brooks, also of A. J. Burnett, E. Cranston, B. Goldsmith and Warren Cranston, on file with the board. The tender was made in swamp land warrants and was made on behalf of Miller & Brooks and also the other mentioned applicants; the description in this application is so meager and defective that it is impossible to tell any number of acres; the payment being \$7,500 00 would be the 20 per cent on 37,500 acres, but it is impossible to state from the application whether there was that much or more.

Land described, total number of acres.....		184,236.69	Total amount of money received.....	\$34,823 06
*And September 6, 1872.	†And October 22, 1872.	‡And August 30, 1873, \$100.	§And January 13, 1879.	¶And \$5,048 00

ABSTRACT B.

List of applications for the purchase of Swamp and Overflowed or Tide Lands, under the Act of October 26, 1870, upon which the 20 per cent. was paid after the 17th of January, 1879.

NAME OF APPLICANT.	NO. OF CERTIFICATE.	DATE OF APPLICATION.	NO. OF ACRES.	TOWNSHIP.	RANGE.	DATE 20 PER CT. PAYMENT.	AMOUNT PAID.	WHAT PAID.	REMARKS.
George F. Brown	128	Feb. 5, '73.	320	38 S	41 E	Jan. 5, '82.	\$ 64 00	Cash.	Baker County. & cash (see Exhibit 'F')
John N. Vance	127 and 129.	Mar. 6, '73.	6,400	40 and 41 S	42 E	{ Jan. 5, '82. Nov. 22, '81.	160 00 1,120 00	Cash. Bonds	
H. C. Owen	Cert's July 26, '80.	to Mar 10 '85	484,059.85	Paym'ts fm July	26, '80, to	Mar. 10, '85.	96,857 68	Bonds	
W. B. Todhunter	131		14,516.91			Jan. 17, '82.	2,903 38	Cash.	
W. B. Todhunter	133		8,300			Jan. 17, '82.	1,660 17	Cash.	
H. C. Willson	142		7,210.64			April 3, '84	1,442 13	Cash.	
A. W. Patterson	146		3,693.69			Mar. 10, '85	739 75	Cash.	
			524,506.09				\$ 104,947 11		

EXHIBIT A.

List of lands embraced in application of W. B. Todhunter of January 13, 1879, not contained in amended application of January 17, 1882.

DESCRIPTION.	SEC-TION.	TOWN-SHIP.	RANGE.	NO. OF ACRES.
All of-----	34	23 South	30 East	640
All of-----	9	do	31 East	640
All of-----	10	do	do	640
All of-----	14	do	do	640
All of-----	15	do	do	640
All of-----	27	do	30 East	640
Part of-----	22	do	31 East	611.43
All of-----	23	do	do	640
All of-----	25	do	do	640
All of-----	26	do	do	640
Part of-----	35	do	do	326.69
All of-----	2	24 South	30 East	640
All of-----	3	do	do	640
All of-----	11	do	do	640
Part of-----	1	do	31 East	601.77
Part of-----	2	do	do	285.58
Part of-----	12	do	do	34.15
All of-----	31	35 South	37 East	640
S. 1/2 of-----	30	do	do	320
SE. 1/4 of SE. 1/4 of-----	34	36 South	36 East	40
N. 1/2 of the NE. 1/2 and NE. 1/4 of the NW. 1/4 of-----	1	do	do	120
N. 1/2 of the NW. 1/4 and N. 1/2 of NE. 1/4 of-----	6	do	37 East	160
Part of W. 1/2 of W. 1/2 of-----	1	37 South	36 East	120
W. 1/2 of W. 1/2 of-----	12	do	do	160
E. 1/2 of-----	14	do	do	320
E. 1/2 of-----	11	do	do	320
E. 1/2 and N. 1/2 of the NW. 1/4 of-----	2	do	do	400
Part of-----	3	do	do	159.63
All of-----	4	do	do	640
W. 1/2 of-----	10	do	do	320
Total-----				13,217.22

EXHIBIT B.

List of lands embraced in W. B. Todhunter's amended application of January 17, 1882, not embraced in original application of January 13, 1879.

DESCRIPTION.	SECTION.	TOWNSHIP.	RANGE.	NO. OF ACRES.
Part of	17	23 South	31 East	1
Part of	21	do	do	419.17
Part of	27	do	do	413.53
All of	34	do	do	640
All of	3	24 South	do	659.31
All of	6	do	do	657.20
All of	7	do	do	636.41
All of	8	do	do	640
All of	10	do	do	640
N. $\frac{1}{2}$ of	13	do	do	320
N. $\frac{1}{2}$ of	14	do	do	320
N. $\frac{1}{2}$, N. $\frac{1}{2}$ of S. $\frac{1}{2}$, S. $\frac{1}{2}$ of SW. $\frac{1}{4}$ and SE. $\frac{1}{4}$ of SE. $\frac{1}{4}$ of	15	do	do	600
All of	17	do	do	640
All of	18	do	do	633.80
NE. $\frac{1}{4}$ and N. $\frac{1}{2}$ of NW. $\frac{1}{4}$ of	20	do	do	240
All of	21	do	do	640
W. $\frac{1}{2}$, E. $\frac{1}{2}$ of E. $\frac{1}{2}$, SW. $\frac{1}{4}$ of SE. $\frac{1}{4}$ of	22	do	do	620
All of	23	do	do	640
All of	26	do	do	640
N. $\frac{1}{2}$ of the NE. $\frac{1}{4}$ of	27	do	do	80
N. $\frac{1}{2}$ of	31	do	32 East	321.47
S. $\frac{1}{2}$ of	33	do	do	320
S. $\frac{1}{2}$ of	34	do	do	320
N. $\frac{1}{2}$ of S. $\frac{1}{2}$, S. $\frac{1}{2}$ of NE. $\frac{1}{4}$ and SE. $\frac{1}{2}$ of NW. $\frac{1}{4}$ of	3	26 South	35 East	280
NE. $\frac{1}{4}$ of the SE. $\frac{1}{4}$ of	4	do	do	40
W. $\frac{1}{2}$ of the W. $\frac{1}{2}$ of	5	34 South	do	160
All of	6	do	do	636.26
All of	7	do	do	635.58
NW. $\frac{1}{4}$ of	17	do	do	160
All of	18	do	do	633.34
Part of	33	36 South	36 East	320
Part of	35	do	do	200
Part of	9	37 South	do	240
Part of	15	do	do	80
Total				14,516.91

EXHIBIT C.

List of lands contained in W. B. Todhunter's application of January 13, 1879, and also contained in amended application of January 17, 1882.

DESCRIPTION.	SECTION.	TOWNSHIP.	RANGE.	NO. OF ACRES.
All of-----	25	23 South	20 East	640
All of-----	19	do	31 East	637.22
Lot 1-----	22	do	do	28.57
All of-----	28	do	do	640
All of-----	29	do	do	640
All of-----	30	do	do	638.78
All of-----	31	do	do	639.58
All of-----	32	do	do	640
All of-----	33	do	do	640
S. $\frac{1}{2}$ of SW. $\frac{1}{4}$, NW. $\frac{1}{4}$ of SW. $\frac{1}{4}$ and Lots 1, 2, 3, 4, 5, 6, 7-----	35	do	do	313.31
All of-----	1	24 South	30 East	640.96
All of-----	12	do	do	640
All of-----	13	do	do	640
Lot 1-----	1	do	31 East	38.23
SW. $\frac{1}{4}$, S. $\frac{1}{2}$ of SE. $\frac{1}{4}$ and Lots 1, 2, 3, 4, 5 of-----	2	do	do	354.42
All of-----	4	do	do	677.19
All of-----	5	do	do	674.79
All of-----	9	do	do	640
All of-----	11	do	do	640
S. $\frac{1}{2}$, S. $\frac{1}{2}$ of N. $\frac{1}{2}$, NW. $\frac{1}{4}$ of NW. $\frac{1}{4}$ and Lots 1, 2, 3 of-----	12	do	do	605.85
W. $\frac{1}{2}$ of-----	33	36 South	36 East	320
Part of-----	35	do	do	140
NW. $\frac{1}{4}$ of NW. $\frac{1}{4}$ of-----	1	37 South	do	40.33
N. $\frac{1}{2}$ of NE. $\frac{1}{4}$ of-----	3	do	do	80.32
E. $\frac{1}{2}$ of E. $\frac{1}{4}$ of-----	9	do	do	80
N. $\frac{1}{2}$ of NW. $\frac{1}{4}$ of-----	15	do	do	80
Total-----				12,039.55

EXHIB

H. C. OWEN'S ORIGINAL

NO. OF APPLICA- TION.	DATE OF APPLICATION.	DATE OF TENDER.	AMOUNT OF PAYMENT.	NO. OF ACRES.
1051	Sept. 6, 1878	September 6, 1878	\$ 4,457 41	22,386.87
1052	Sept. 6, 1878	September 6, 1878	7,910 00	39,553.66
1053	Sept. 7, 1878	September 7, 1878	6,740 76	8,140
1055	Sept. 9, 1878	September 9, 1878	1,767 34	8,555.75
1056	Sept. 9, 1878	September 9, 1878	4,000 00	20,000
1057	Sept. 12, 1878			6,340
1058	Sept. 12, 1878			15,000
1059	Sept. 12, 1878			1,152
1073	Oct. 8, 1878			1,382.84
1072	Sept. 30, 1878			All the swamp land in 13 townships
1038	July 30, 1878			10,560
1039 ^{1/2}	July 30, 1878			941.10
1039	July 30, 1878			26,281.88
1043	Sept. 5, 1878	September 5, 1878	1,709 28	8,546.43
1044	Sept. 5, 1878			10,487.59
1045	Sept. 5, 1878			79,157.75
1046	Sept. 5, 1878	September 5, 1878	1,394 83	6,974.08
1110	Jan. 9, 1879			72,280
1111	Jan. 9, 1879			44,160
1112	Jan. 11, 1879			16,640
1077	Oct. 15, 1878			42,560
1081	Nov. 18, 1878			124,610
905	Feb. 21, 1877			All the swamp land in 57 townships
906	Feb. 21, 1877			All the swamp land in 52 townships
907	Feb. 21, 1877			All the swamp land in 37 townships
298	Feb. 16, 1872	H. C. Owen and P. L. Willis		All the swamp land in 8 townships
27	Nov. 23, 1870	H. C. Owen and L. F. Mosher, latter withdrawn		All the swamp land in 3 townships
32	Nov. 28, 1870	H. C. Owen, Mosher and Whit- aker, two latter withdrawn		All the swamp land in 2 townships
50	Dec. 8, 1870			100,000 More or less
51	Dec. 9, 1870			13,200
52	Dec. 9, 1870			306.58 Also all swamp land in 12 townships
55	Dec. 9, 1870	H. C. Owen and A. W. Patter- son		10,000 Supposed to be
56	Dec. 9, 1870	H. C. Owen, A. W. Patterson, J. G. Gray and C. C. Croner, two last withdrawn		92,000 (Four townships) or so much as shall be swamp land

IT D.

APPLICATIONS, SYNOPSIS OF.

REMARKS.			
Tender made in swamp land warrants and rejected			Lake County.
do do do do	do do do do		Grant and Baker Counties.
do do do do	do do do do		do do
do do do do	do do do do		Douglas County.
No tender made			Lake and Wasco Counties.
do do			Union County.
do do			Lake County.
do do			do
do do			do
do do			Grant and Baker Counties.
do do			Baker County.
do do			Grant County.
do do			Lake County.
Tender made in swamp land warrants and rejected			do
No tender made			Grant and Lake Counties.
do do			do do
Tender made in swamp land warrants and rejected			Lake County.
No tender made			Baker County.
do do			do
do do			do
do do			Lake County.
do do			Baker, Grant and Lake Counties
do do			Wasco, Lake, Grant, Baker, Umatilla and Lane Counties
do do			Baker, Grant, Umatilla, Union and Wasco Counties.
do do			Lane, Douglas, Jackson, Lake Grant and Baker Counties.
do do			Lake County.
do do			Lake County.
do do			Union County.
do do			Baker and Grant Counties
do do			
do do			Lane and Lake Counties.
do do			Lake County.
do do			
do do			Lake County.

EXHIBIT D.

NO. OF APPLICA- TION.	DATE OF APPLICATION.	DATE OF TENDER.	AMOUNT OF PAYMENT.	NO. OF ACRES.
57	Dec. 9, 1870	H. C. Owen, A. W. Patterson, J. G. Gray and C. C. Croner, two last withdrawn		92,000 (Four townships) or so much as shall be swamp land
62	Dec. 10, 1870			20,000 More or less, Owens being successor to Sharples & Patter- son
	Total		\$ 24,877 51	918,216.53*

* Also all the swamp land contained in 172 townships, said 172 townships containing these applications, but not added in.

—CONTINUED.

REMARKS.	
No tender made.....	Lake County.
do do	Wasco County.

8,862 880 acres; therefore all the swamp land contained in said 172 townships are included in
65

EXHIBIT E.

H. C. Owen's amended applications (synopsis of).

NO. OF APPLICA- TION.	DATE OF APPLICATION.	DATE OF TENDER.	AMOUNT TENDERED.	NO. OF ACRES.	REMARKS.
---	Dec. 24, 1878	Dec. 24, 1878	\$ 18,046 71	90,233.57	Tender made in swamp land warrants and refused.
---	Sept. 6, 1883	Sept. 6, 1883	6,500 00	32,837.74	do do do do
---	May 22, 1883	May 22, 1883	328 50	1,610	do do do do
---	Jan. 29, 1880	---	---	68,120	No tender made.
---	Dec. 20, 1880	---	---	91,897.04	do do
---	June 8, 1884	---	---	14,884	do do
---	May 12, 1881	Jan. 27, 1882	624 00	3,120	Tender made and refused.
---	July 30, 1878	Sept. 5, 1878	1,591 70	18,046.71	do do do
---	Nov. 5, 1883	---	---	124,110	No tender made.
---	May 5, 1880	---	---	20,216	do do
---	Aug. 24, 1881	---	---	166,860	do do
---	Aug. 21, 1881	Aug. 31, 1881	1,000 00	6,400	Warrants Nos. 853 and 850 tendered, each calling for \$500 00.
---	Dec. 30, 1880	---	---	3,502.86	No tender made.
---	July 27, 1881	---	---	388,165	do do
	Total	Total	\$ 28,090 41	1,003,102.92	

EXHIBIT F.

Certificates of Sales Issued to H. C. Owens for Swamp and Overflowed Lands.

NO. OF CERTIFICATE.	DATE OF CERTIFICATE.	NO. OF ACRES.	AMT. OF 20 PER CENT. PAYMENT	DATE OF PAYMENT.	NO. OF TOWNSHIPS.	NO. OF RANGES.
123	July 26, 1880	55,185.36	\$ 11,037 07	July 26, 1880	25, 26, 27, 28, 29, S	28, 29, 30, 31, 32, 27, 14, 15, 16, 17, E.
124	Feb. 23, 1881	66,601.32	13,346 80	Feb. 23, 1881	21, 25, 28, 29, 30, 31, 33, 34, 35, 36, 40, 41, S	22, 26, 33, 11, 12, 9, 17, 30, 31, 32, 6, 7 1/2, 14 1/2, 23, 24, 25, F.
134	Sept. 12, 1882	2,959.80	591 96	Sept. 12, 1882	35, S	32, E.
136	Nov. 28, 1882	3,201	640 00	Nov. 28, 1882	39, S	35, E.
138	Oct. 9, 1883	10,197.40	2,039 48	Oct. 9, 1883	23, 24, 25, 27, S	26, 27, 28, 29, E.
139	Nov. 14, 1883	126,893.03	25,378 60	Nov. 14, 1883	16, 22, 23, 24, 25, 26, 27, S	30, 31, 32, 31 1/2, 33, E.
140	Nov. 14, 1883	6,716.15	1,343 23	Nov. 14, 1883	32, 33, 34, S	34, 35, 30, 32, 31, E.
144	April 3, 1884	78,901.61	15,780 32	April 3, 1884	33, 35, 36, 37, 38, 39, 40, S	26, 24, 25, E.
145	March 10, 1885	133,100.18	26,680 03	March 10, 1885	27, 28, 31, 32, 33, 38, 39, 40, 41, S	14, 15, 16, 13, 17, 21, 19, 20, 22, E.
130	Jan. 20, 1882	720	144 00	Jan. 20, 1882	26, S	28, E.
		484,779.85	\$ 97,001 69			

EXHIBIT G.

List of certificates of sales issued for Swamp and Overflowed Lands since March 1, A. D. 1881 (other than H. C. Owen's).

CERTIFICATE NO.	TO WHOM ISSUED.	DATE OF CERTIFICATE.	NO. OF ACRES.	AMOUNT OF 20 PER C.T. PMT.	DATE OF PAYMENT.	TOWNSHIP.	RANGE.	REMARKS.
125	Theodore Wygant.....	Mar. 1, '81	110.15			3 N	9 E	1st appl. by F Robbins
126	David McCully.....	April 1, '81	200.00			2 S	45 E	
127	John N. Vance.....	Nov. 22, '81	5,000.00			40, 41 S	42 E	P'd warrants 092 & 1537
128	G. F. Brown.....	Jan. 5, '82	320.00			34 S	41 E	
129	John N. Vance.....	Jan. 5, '82	800.00			41 S	42 E	
131	W. B. Todhunter.....	Jan. 17, '82	20,556.54			23, 24, 26, 34, 36, 37 S	30, 31, 32, 35, 36 E	
132	G. R. McGinnison.....	Feb. 7, '82	200.00			11 S	11 W	1st appl. by Jno. McGee
133	W. B. Todhunter.....	Jan. 17, '82	8,300.00			34, 33, 36 S	30, 35, 34, 33 E	
135	H. J. Glenn.....	Oct. 24, '82	22,035.67			27, 28, 29, 30, 31 S	31, 32, 32 1/2, 33 E	
137	B. F. Hutchinson.....	Apr. 23, '83	562.31			12 S	11 W	
141	Ayres & McConoughy.....	Apr. 3, '84	4,330.42			37, 38, 39, 40 S	24, 25 E	
142	H. C. Wilson.....	Apr. 3, '84	7,210.64			35, 36, 37 S	24, 25 E	
143	H. F. Wilson.....	Apr. 3, '84	1,032.00			36 S	24 E	
146	A. W. Patterson.....	Mar. 10, '85	3,696.69			26 S	14, 15 E	
			81,016.42					

EXHIBIT G—CONTINUED.

List of Certificates of Sales Issued for Swamp Lands Prior to March 1, A. D. 1891.

CHIN ON	TO WHOM ISSUED.	DATE OF CERTIFICATE.	NO OF ACRES.	AMT. OF 20 PER CT. PAY'T	DATE OF PAYMENT.	TOWNSHIP.	REMARKS.
1	1	Feb.	1,000	200 00		22 S	12 W
2	1	4, 1872	760	152 00		23 S	13 W
3	1	8, 1872	1,000	200 00		23 S	13 W
4	Q. A. Brooks	4, 1872	782.84	156 56		39 S	8, 9 W
5	Q. A. Brooks	4, 1872	1,222.42	244 48		39 S	8, 9 W
6	Q. A. Brooks	4, 1872	1,968.74	393 75		40 S	8 W
7	Q. A. Brooks	4, 1872	1,467.89	293 57		40 S	8 W
8	Q. A. Brooks	4, 1872	1,733.75	346 75		40 S	8 W
9	John Adair, Jr.	6, 1872	1,733.32	346 66		8 N	6, 7 W
10	John Adair, Jr.	6, 1872	2,142.75	428 55		7, 9 N	9, 7 W
11	Wm. D. English	6, 1872	313.86	62 77		8 N	9 W
12	Q. A. Brooks	6, 1872	629.55	125 95		8 N	8, 9 E
13	Q. A. Brooks	6, 1872	1,068	213 60		38 S	8 E
14	Q. A. Brooks	6, 1872	106.25	21 03		38 S	8 E
15	T. H. Cann	8, 1872	1,18.66	23 73		37, 38 S	8 E
16	Q. A. Brooks	8, 1872	894.40	178 88		40 S	8 E
17	Q. A. Brooks	8, 1872	161.70	32 34		40 S	8 E
18	John F. Miller	9, 1872	611.16	122 23		6 S	1, 2 W
19	John F. Miller	9, 1872	264.71	52 94		6 S	1, 2 W
20	Joseph Gaston	15, 1872	180.57	36 11		2 S	4 W
21	C. P. Finy	17, 1872	2,225.65	445 12		7, 8 N	4, 5 W
22	J. C. Hawthorne	17, 1872	1,017.59	203 51		1, 5, 6, 7 N	1, 2, 3, 5
23	J. C. Hawthorne	17, 1872	1,262.22	252 44		3, 4 N	1
24	A. D. Ellis	18, 1872	4,778.67	955 73		8, 9 N	1
25	A. D. Ellis	18, 1872	2,003.88	400 77		1, 2 N	6
26	A. D. Ellis	18, 1872	1,234.37	246 87		1, 2 N	1 W, 1, 2, 3
27	J. C. Hawthorne	18, 1872	1,355.10	271 02		1 W, 1	8
28	Q. A. Brooks	23, 1872	160	32 00		40 S	
29	E. F. Russell	1, 1872	1,957.70	391 54		7, 8 N	4
30	C. P. Perry	1, 1872	1,812.59	362 52		7, 8 N	4
31		1, 1872	672.07	134 41		7, 8 N	4
32		1, 1872	1,316.78	263 35		8 N	4
33		1, 1872	746.75	149 33		8 N	4 W
34	J. R. Cardwell	1, 1872	651.93	130 38		7, 8 N	5 W
35	Q. A. Brooks	2, 1872	4,383.45	877 09		40 S	8, 9 E
36	Q. A. Brooks	2, 1872	100.30	20 06		41 S	9 E
37	Q. A. Brooks	3, 1872	100	20 00		41 S	9 E
38	Q. A. Brooks	3, 1872	160	32 00		41 S	9 E
39	Q. A. Brooks	10, 1872	640	128 00		41 S	9 E
40	Q. A. Brooks	15, 1872	2,008.70	401 74		8 N	4, 7 W
41	Moses Seller	15, 1872	1,551.88	310 38		8, 9 N	6, 7 W
42	Moses Seller	24, 1872	625.04	125 20		8, 9 N	6, 7 W
43	A. E. Walt						

EXHIBIT G—CONTINUED.

NO.	NAME	DATE OF CERTIFICATE.	NO OF ACRES	AMT. OF 20 PER CT. PM'T	REMARKS.
43		May 17, 1872	1,657.90	\$	5, 6 E
45		June 15, 1872	51	10 20	2 W
46		24, 1872	424.71	64 94	9, 10 W
47		25, 1872	520	104 00	3 W
48		17, 1872	89.28	17 60	39 E
49		17, 1872	1,731.07	346 21	39 E
50	A. H. Sale	5, 1872	40	8 00	9 W
51	J. C. Gilbrath	5, 1872	240	48 00	6 N
52	W. F. Williams	5, 1872	339.97	67 99	2 W
53	A. Rosenheim	5, 1872	370.83	74 16	1 W
54	Robert Wade	5, 1872	16.60	3 32	3, 4 W
55	C. Bonser	6, 1872	189.09	67 81	11 W
56	James Menzies	6, 1872	131.53	26 30	1 W
57		6, 1872	43.60	8 72	3, 4 E
58		6, 1872	40	8 00	5 W
59		6, 1872	70.52	14 10	4 W
60		7, 1872	1,685.79	337 16	7, 8, 9, 10 W
61		28, 1872	40	8 00	11 W
62		8, 1872	40	8 00	11 W
63		12, 1872	10.98	2 18	11 W
64		14, 1872	320	64 00	15 W
65	A. Johnson	15, 1872	1,200	240 00	15 W
66	G. M. Dyer and T. Johnson	20, 1872	1,522.05	304 41	5 E
67	James D. Fay	4, 1872	145.73	29 14	9 E
68	Wm. Collins	4, 1872	2,150.43	430 07	9 E
69	John F. Miller	4, 1872	2,348.41	469 68	8 E
70	John F. Miller	0, 1872	4,146.40	829 29	8 E
71	Q. A. Brooks	9, 1872	80	16 00	1 W
72	J. C. Hawthorne	16, 1872	4,040	808 00	13, 14 E
73	C. C. Beekman	17, 1872	19.20	3 84	11 W
74	R. McKinney	18, 1872	240	48 00	16 E
75	A. B. Webdel	18, 1872	167	32 00	16 E
76	E. Barnes	18, 1872	252.20	50 44	1 W
77	T. H. Cann (from James Steel)	30, 1872	118.70	23 74	16 E
78	J. B. Lafollett	30, 1872	30.75	6 15	9 E
79	J. D. Caughlin	30, 1872	160	32 00	16 E
80	A. H. Rogers	9, 1872	11.51	2 30	11 W
81	A. H. Rogers	22, 1872	1,090	216 00	13, 14 E
82	C. C. Beekman	18, 1872	120	24 00	15 W
83	Wm Langlois	8, 1873	203	40 00	5 W
84	Pakerson & Chesher	8, 1873	40	8 00	5 W
85	Pakerson & Chesher	6, 1873	76.15	15 23	16 E
86	James Mackey	14, 1873	18,605.76	2,721 15	19 E
87	James D. Fay				
88					
89					

90	James D. Fay	Jan.	14, 1873	10,133.27	2,026 05		33, 34 8	19 E
91	James D. Fay		14, 1873	1,557.09	811 41		34, 35 8	19 E
92	James D. Fay		14, 1873	5,506.75	1,101 35		34, 35 8	20 E
93	Isaac Block		15, 1873	278.51	53 90		42, 43 E	42, 43 E
94	James D. Fay		20, 1873	4,090.86	818 17		41 8	11 E
95	James D. Fay		20, 1873	8,510.70	702 14		41 8	12 E
96	J. Kronenberg		29, 1873	40	8 00		29 8	19 W
97	Marks & Smith	Feb.	6, 1873	1,940	892 00		27 8	13 W
98	Marks & Smith		6, 1873	640	128 00		28 8	18 W
99	Marks & Smith		6, 1873	242.55	48 51		28 8	13 W
100	Marks & Smith		6, 1873	2,540.20	512 04		28 8	13 W
101	Alken & Collier		6, 1873	280	50 00		27 8	18 W
102	W. S. Reed		11, 1873	38.25	7 65		21 8	11 W
103	James Turner		11, 1873	58	10 60		26 8	13 W
104	Wilbert Noyes		20, 1873	39.52	7 90		26 8	13 W
105	Thomas J. Beale		21, 1873					
106	J. L. Cole		24, 1873					
107	S. R. Stayton		25, 1873					
108			26, 1873					
109	John Brattan	March	1, 1873					
110	Sanders & Haynes		6, 1873					
111			6, 1873					
112			7, 1873					
113	W. K. Ish		10, 1873					
114	W. K. Ish		10, 1873					
115	Emele Shanno		12, 1873					
116	J. N. T. Miller		13, 1873					
117	N. H. Gates		18, 1873					
118	Henry Schmidt		24, 1873					
119	Humphry		24, 1873					
120	N. H. Gates		25, 1873					
121	S. McDowell		26, 1873					
122								
Grand total								

LIST OF LANDS UNRECLAIMED

To which Deeds have been given in Tracts of more than 320 Acres to one person.

NAME OF PURCHASER.	NUMBER OF ACRES	DATE OF DEED.	REMARKS.
James M. Allen -----	9,459.24	September 28, 1886 -----	Assignee of H. C. Owen.
do -----	7,035.03	do 28, 1886 -----	do do
R. A. West -----	1,960.00	do 28, 1886 -----	-----
John F. Miller -----	1,983.00	June 26, 1885 -----	-----
French & Glenn -----	22,055.67	July 20, 1885 -----	Assignee A. H. Robie & E. Otis
L. B. Applegate -----	1,357.76	September 14, 1883 -----	do O. C. Applegate.
Q. A. Brooks -----	4,042.00	June 15, 1885 -----	-----
W. J. Nichols -----	609.00	February 1, 1886 -----	Assignee of Q. A. Brooks
J. & L. Gerber -----	760.00	August 25, 1886 -----	-----
W. P. Miller -----	1,159.00	January 12, 1883 -----	Assignee of Q. A. Brooks.
A. M. Roseborough -----	19,155.42	do 13, 1883 -----	-----
Amos N. King -----	1,922.68	November 1, 1882 -----	-----
John F. Miller -----	2,194.41	August 16, 1882 -----	-----
do -----	254.39	February 10, 1882 -----	-----
do -----	301.31	July 5, 1883 -----	-----
John Glenn -----	508.52	August 20, 1882 -----	-----
J. L. Hanks -----	883.81	do 30, 1882 -----	-----
	74,641.21		

RECLAMATION PROOF OF A. N. KING.

That for five years last past Amos N. King has caused to be cut upon the same (King's land) each year large amounts of hay; and in the year 1877 he caused red-top grass seed to be sown thereon; and in the summer of 1880 he caused to be cut thereon about 100 tons of hay; and in the year 1881 he cut thereon about 100 tons of hay; and in the year 1882 he has cut thereon about 90 tons of hay; that said hay was cut with mowing machines and the hay was hauled away in wagons and the ground was firm enough to allow horses and wagons to go upon it and cut and bring away said hay.

(Signed)

JOHN SIMMONS,
JEROME GAYLORD.

Subscribed and sworn to before me, this 18th day of October, A. D. 1882.

R. B. HATTAN,
County Clerk.

On motion of Mr. Little, Hon. W. D. Fenton was invited to a seat within the bar.

By consent, Mr. Pomeroy introduced house bill No. 269, to provide for establishment of double narrow gauge railway portage between The Dalles and Celilo on the Columbia river.

On motion of Mr. Thompson, house bill No. 62 was referred to the committee on education.

On motion of Mr. Goodsell, house bill No. 154 was referred to the committee on insurance.

The special order for 2 P. M., house bill No. 249, was read third time.

Mr. Paulsen moved to refer house bill No. 249 to a special committee of five.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blevins, Crockett, Palmer, Paulsen—4.

Nays—Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Crook, Culver, Davis, Daly, Gard, Gubser, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Holmes, Harrington, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Pendleton, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—53.

Absent—Messrs. Goodsell, Lafollett of Yamhill, Miller of Linn—3.

So the motion to refer to a special committee was lost.

“Shall the bill pass?”

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bilyeu, Biggs, Crook, Culver, Davis, Daly, Gard, Gay, Holland, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Layman, Mayer, Maxwell, McLean, Munger, Noyer, Pomeroy, Pendleton, Roberts, Summers, Wilcox, Mr. Speaker—28.

Nays—Messrs. Benjamin, Blundell, Bowditch, Blevins, Gubser, Henry, Hansard, Hicks, Harris, Lafollett of Yamhill, Laughlin, Little, Miller of Jackson, Miller of Linn, McKenzie, McCully, Osborn, Palmer, Paulsen, Richardson, Stafford, Swank, Smith, Thompson, Taylor, Vanderpool, Wilson—27.

Absent—Messrs. Crockett, Goodsell, Hale, Mitchell, Mackay—5.

So house bill No. 249 failed to pass.

House bill No. 109 was read third time, and legal objections being made to it because of imperfection, Mr. Summers was permitted to withdraw the bill and perfect it without losing its place on the calendar.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 10, 1887. }

Mr. Speaker: Your committee on engrossed bills, to whom was referred house bill No. 200, beg leave to report the same back to the house as correctly engrossed.

J. H. ROBERTS,
Chairman.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 10, 1887. }

Mr. Speaker: Your committee on engrossed bills, to whom was referred house bill No. 39, beg leave to report the same back to the house as correctly engrossed.

J. H. ROBERTS,
Chairman.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 10, 1887. }

Mr. Speaker: Your committee on engrossed bills, to whom was referred house bill No. 143, beg leave to report the same back to the house as correctly engrossed.

J. H. ROBERTS,
Chairman.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 10, 1887. }

Mr. Speaker: Your committee on engrossed bills, to whom was referred house bill No. 217, beg leave to report the same back to the house as correctly engrossed.

J. H. ROBERTS,
Chairman.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 10, 1887. }

Mr. Speaker: Your committee on engrossed bills, to whom was referred house bill No. 144, beg leave to report the same back to the house as correctly engrossed.

J. H. ROBERTS,
Chairman.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 10, 1887. }

Mr. Speaker: Your committee on engrossed bills, to whom was referred house bill No. 68, beg leave to report the same back to the house as correctly engrossed.

J. H. ROBERTS,
Chairman.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 10, 1887. }

Mr. Speaker: Your committee on engrossed bills, to whom was referred house bill No. 97, beg leave to report the same back to the house as correctly engrossed.

J. H. ROBERTS,
Chairman.

House bill No. 56 was read third time.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Gard, Gubser, Hale, Hansard, Hicks, Harrington, Holmes, Haley, Johnson, Kruse, Lafollett of Yamhill, Layman, Laughlin, Little, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Roberts, Richardson, Stafford, Smith, Thompson, Taylor, Wilson, Wilcox, Mr. Speaker—43.

Nays—Messrs. Benjamin, Swank—2.

Absent—Messrs. Blundell, Daly, Goodsell, Gay, Holland, Henry, Harris, Lockett, Lafollett of Marion, Mayer, Maxwell, Mackay, Paulsen, Summers, Vanderpool—15.

So house bill No. 56 passed and the title of the bill stood for the title of the Act.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 10, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has refused to pass house bill No. 40, being a bill for an Act to create the county of Lee and for the salaries of county judge and treasurer thereof.

And the same is herewith transmitted to you.

E. G. HURSH,
Chief Clerk.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 10, 1887. }

Mr. Speaker: Your committee on engrossed bills, to whom was referred house bill No. 115, beg leave to report the same back to the house as correctly engrossed.

J. H. ROBERTS,
Chairman.

House bill No. 269 read first time.

Mr. Pomeroy moved to suspend the rules and read the bill the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Crockett, Davis, Gard, Gubser, Gay, Holland, Hale, Henry, Hicks, Harrington, Holmes, Haley, Lafollett of Yamhill, Layman, Laughlin, Mayer, Miller of Jackson, Miller of Linn, Mitchell, McLean, McKenzie, Mackay, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Roberts, Richardson, Stafford, Swank, Taylor, Wilson, Mr. Speaker—38.

Nays—Messrs. Hansard, McCully, Paulsen, Thompson—4.

Absent—Messrs. Biggs, Blevins, Crook, Culver, Daly, Goodsell, Harris, Johnson, Kruse, Lockett, Lafollett of Marion, Little, Maxwell, Munger, Summers, Smith, Vanderpool, Wilcox—18.

So the house refused to suspend the rules.

By consent, the special committee appointed to investigate the affairs of the State board of immigration, submitted the following

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 4, 1887. }

To the Honorable the Senate and House of Representatives of the Legislative Assembly of the State of Oregon:

Your joint committee appointed in pursuance of senate concurrent resolution No. 4, providing that a joint committee of five be appointed to examine the work done by the State board of immigration and to report as to the advisability of abolishing or continuing said work, beg leave to report that in accordance with the provisions of said resolution we went to Portland and made a careful and thorough examination of the working of the board.

The rooms or office occupied by the board are located at the foot of Ash street, opposite the wharf where are landed all emigrants coming by the way of the Northern Pacific and Oregon Short Line railroads. The location is a good one, and is perhaps the best that can be obtained.

The display of products of the State, consisting of grains, fruits, vegetables, minerals and of various kinds of timber, is quite extensive, and we find every county in the State represented by something. In fact, we find that all available space in the office is taken up, and to add to this display would necessitate enlarging the office. We find, however, that many counties are not fully represented, in that the products of the county are not fully displayed. Counties should see to it, if the board is to be continued, that a more complete display of products is placed in the rooms of the board.

According to the reports of the secretary, compiled from records in the office of the board, about 16,500 people have visited the rooms of the board in pursuit of information that would lead them to select a home. It is also safe to say that about one-half this number have found homes in this State.

Of those who have settled a large per cent. are men of families and have come with money to purchase and build up homes. To arrive at a correct estimate of the increase of the taxable property of the State by reason of immigration would be almost an impossibility. According to the report of the Secretary of State, the taxable property of this State, as returned by the assessors of the various counties, aggregates the sum of \$76,567,795 00 for the year 1885, and \$79,128,778 00 for the year 1886, showing an increase for the year 1886 over 1885 of \$2,560,983 00.

Reports on file in the office of the State board of immigration show that since June 1, 1886, persons representing the total sum of

\$1,237,800 00 have found homes in the various counties of this State. This makes a total sum of \$3,798,783 as an increase of taxable property of the State within the past eighteen months. It is safe to say this does not represent the increase of taxable property by one-half.

The population of this State, according to the census returns of 1885, was 207,450, and is now generally believed to be about 260,000, making an increase in population in the year past of 52,550. The census returns of 1885 and returns of the assessors of the various counties of the State show that the total amount of taxable property of the State to each person residing within the State is \$370. And allowing that the present population is 260,000, which will show that the increase of taxable property for the year is \$19,443,500 00. Granting that only about one-fourth of this increase of wealth to the State was brought about by, and through the medium of the board of immigration, we have an increase through this source of \$4,860,875 00, which, at the present rate of taxation for State purposes, brings into the State treasury the sum of about \$15,000.

The board now has on hand about 26,000 copies of the pamphlet "Oregon As It Is" and 30,000 copies of German and Scandinavian circulars and 3000 books furnished by the various counties of the State. Since its organization the board has distributed about 400,000 copies of literature and pamphlets in relation to the resources of the State, all of which have contained an invitation to the person receiving it to come to Oregon and call at the office of the board of immigration and obtain free of charge information in relation to suitable localities in which to settle. To abolish the office at this time would be a breach of faith on the part of the State, and would leave immigrants at the mercy of real estate agents and speculative sharps, many of whom no doubt would represent themselves to be agents of the State, thereby deceiving the immigrant and possibly causing many to return from the State convinced that a serious wrong had been perpetrated and feeling that they had been basely deceived.

In the matter of the reduction of rates by railways, we find that an appeal was made to all railways operating within this State for reduced rates to immigrants seeking homes with us, and the only company that responded at that time was the Oregon and California railroad, who granted a rate of three cents per mile, which has ever since been maintained.

The Oregon Railway & Navigation Company granted round trip tickets at one and one-fifth the regular rate, which, to an immigrant, was no reduction, as a person seeking to settle would not wish

to return to Portland. It was not and should not be the desire of the board to induce immigrants to return to Portland, but to induce them to settle in the county to which they should go. In this manner, and through the action of a corporation which now holds the power, eastern Oregon has not realized as much benefit as should have been. In November, 1885, the O. R. & N. Co., at the solicitation of a committee of the legislature, then assembled in special session, agreed to and did grant special rates the same as were granted by the O. & C. R. R. One hundred and thirty-five tickets were issued, and the order or agreement was rescinded or abrogated on the order of the officials, against the advice of Mr. C. H. Prescott, the manager. Since that time the old rates have prevailed.

The Oregon Pacific Railroad gives rates at three cents per mile and the narrow guage system gives a rate at present—a recent order—of two cents a mile.

Your committee find that complaints have been made in the public prints that immigrants have not been distributed over entire the State, which has created in some localities a strong opposition to the continuance of the board.

That the people of all sections may feel that their interests are more or better guarded, we recommend that there be a general reorganization of the board, so that a commissioner may reside at the county seat of each county, and also that more particular attention be paid to the collection and dissemination of information concerning our facilities for manufacturing. Therefore,

Your committee have reported back to the senate senate bill No. 130, with sundry amendments, and recommend that the amendments be adopted, and that as amended the bill pass. The substance of the bill, as reported, is as follows: That there be created a board, to consist of one member from each county, which shall meet semi-annually, and the member from each county shall be the local agent for the board for that county and shall prepare or have prepared for the board a proper representative or descriptive circular of his county for the use of the board. Otherwise than in this manner, the work of the board shall continue as now carried on.

We have employed a clerk for five days and recommend that he be paid for his services five dollars per day and mileage to and from Portland from this place, and that the Secretary of State be directed to draw a warrant for the mileage and per diem of the clerk on the certificate of the chairman of this committee.

Senate	{	JOHN H. SHUPE,
		Chairman.
House	{	C. F. HICKS,
		Chairman.

Mr. Bilyeu moved and on his motion the house ordered the report spread upon the journal and 250 copies printed.

Mr. Summers offered the following as completion of house bill No. 109:

Section 2. Courts of justices of the peace shall have jurisdiction of the offence defined and made punishable by section 1 of this Act.

And on his motion the house adopted the section 2 of house bill No. 109, which by unanimous consent was added by the clerk.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Culver, Davis, Daly, Gard, Gubser, Gay, Holland, Hale, Henry, Hansard, Hicks, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Miller of Jackson, Mitchell, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Palmer, Pendleton, Paulsen, Roberts, Richardson, Swank, Summers, Smith, Thompson, Taylor, Wilson, Wilcox, Mr. Speaker—48.

Nays—None.

Absent—Messrs. Blevins, Crook, Crockett, Goodsell, Harris, Lafollett of Marion, Maxwell, Miller of Linn, McLean, Pomeroy, Stafford, Vanderpool—12.

So house bill No. 109 passed and the title of the bill stood for the title of the Act.

On motion of Mr. Hale, the house adjourned.

EVENING SESSION.

House called to order at 7:30 P. M. by the Speaker in the chair.

The roll was called and those absent were Messrs. Blundell, Bowditch, Bilyeu, Davis, Daly, Goodsell, Harrington, Charles Lafollett, Mitchell and Wilcox.

Messrs. Blundell and Daly absent on leave.

At request of Mr. R. A. Miller, Mr. Daly was excused for the evening.

Mr. Blundell was also excused, at the request of Mr. Benjamin.

Mr. Culver moved to rescind the order to the senate for the return of senate joint resolution No. 14 without relinquishing the right of the house to recall, and the motion carried.

Senate bill No. 16 read third time.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Biggs, Blevins, Crook, Culver, Crockett, Davis, Gard, Gubser, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilcox, Mr. Speaker—50.

Nays—None.

Absent—Messrs. Blundell, Bowditch, Bilyeu, Daly, Goodsell, Harrington, Lafollett of Yamhill, Mitchell, Paulsen, Wilson—10.

So senate bill No. 16 passed.

Mr. Henry moved to take up and put on final passage senate bill No. 107.

Lost.

Senate bill No. 151 read third time.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Biggs, Blevins, Crook, Culver, Crockett, Davis, Gard, Gubser, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, McLean, Munger, McKenzie, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—49.

Nays—None.

Absent—Messrs. Blundell, Bowditch, Bilyeu, Daly, Goodsell, Harrington, Lafollett of Yamhill, Mitchell, Mackay, Paulsen, Roberts—6.

So senate bill No. 151 passed.

Senate bill No. 153 read third time.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Bowditch, Biggs, Blevins, Crook, Culver, Davis, Gard, Gubser, Gay, Hale, Henry, Hansard, Hicks, Harris, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn,

McLean, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Richardson, Stafford, Swank, Summers, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—47.

Nays—None.

Absent—Messrs. Blundell, Bilyeu, Crockett, Daly, Goodsell, Holland, Harrington, Lafollett of Yamhill, Mitchell, Munger, Paulsen, Roberts, Smith—13.

So senate bill No. 153 passed.

House bill No. 254 was on the motion of Mr. Pomeroy taken up and read third time.

“Shall the bill pass?”

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Bowditch, Biggs, Blevins, Crook, Culver, Davis, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Richardson, Stafford, Swank, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—50.

Nays—None.

Absent—Messrs. Blundell, Bilyeu, Crockett, Daly, Harris, Harrington, Lafollett of Yamhill, Mitchell, Roberts, Summers—10.

So house bill No. 254 passed, and the title of the bill stood for the title of the Act.

Senate bill No. 163 was on motion of Mr. Laughlin taken up and read third time.

“Shall the bill pass?”

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bowditch, Biggs, Blevins, Crook, Culver, Davis, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Holmes, Haley, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Palmer, Pendleton, Paulsen, Richardson, Stafford, Swank, Summers, Smith, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—48.

Nays—None.

Absent—Messrs. Benjamin, Blundell, Bilyeu, Crockett, Daly, Harrington, Johnson, Lafollett of Yamhill, Mitchell, Pomeroy, Roberts, Thompson—12.

So senate bill No. 163 passed.

Mr. McCully moved to take up senate bill No. 26 and put it on its final passage.

Carried.

Senate bill No. 26 read third time.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Bowditch, Blevins, Crook, Culver, Crockett, Davis, Gard, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Holmes, Haley, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Little, Maxwell, Miller of Jackson, Miller of Linn, McLean, McKenzie, Mackay, McCully, Noyer, Osborn, Palmer, Pendleton, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—47.

Nays—None.

Absent—Messrs. Blundell, Bilyeu, Biggs, Daly, Gubser, Harrington, Johnson, Lafollett of Yamhill, Mayer, Mitchell, Munger, Pomeroy, Paulsen—13.

So senate bill No. 26 passed.

On motion of Mr. Biggs, senate bill No. 149 read third time.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Bowditch, Biggs, Blevins, Culver, Crockett, Davis, Gard, Goodsell, Gay, Hale, Henry, Hansard, Hicks, Harris, Holmes, Haley, Johnson, Kruse, Lockett, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, McLean, Munger, McKenzie, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Roberts, Richardson, Stafford, Swank, Taylor, Wilcox, Mr. Speaker—43.

Nays—Messrs. Thompson, Vanderpool—2.

Absent—Messrs. Blundell, Bilyeu, Crook, Daly, Gubser, Holland, Harrington, Lafollett of Marion, Lafollett of Yamhill, Mitchell, Mackay, Paulsen, Summers, Smith, Wilson—15.

So senate bill No. 149 passed.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 10, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has adopted and agreed to house joint resolution No. 1 of 1885, providing for the adoption of a constitutional amendment in reference to the changing of general elections from June to November.

And the same is herewith transmitted to you for enrollment.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 10, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed senate bill No. 68, being a bill for an Act to amend section 8 of chapter 8 of the miscellaneous laws of Oregon.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

The bill was read first time and passed to second reading without question.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 10, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed senate bill No. 164, being a bill for an Act to authorize the construction of a wagon and passenger bridge across the Willamette river at Oregon City, Oregon.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

The bill was read first time and passed to a second reading without question.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 10, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed house bill No. 233, being a bill for an Act to change the name of the town of Alkali and to incorporate the same.

And the same is herewith transmitted to you for enrollment.

E. G. HURSH,
Chief Clerk.

And the bill was ordered enrolled.

On motion of Mr. Hicks, the house took up senate bill No. 102 and read it third time.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Bowditch, Biggs, Culver, Crockett, Davis, Gard, Goodsell, Gay, Hale, Henry, Hansard, Hicks, Harris, Holmes, Johnson, Kruse, Lockett, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, McLean, Munger, McKenzie, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—47.

Nays—None.

Absent—Messrs. Blundell, Bilyeu, Blevins, Crook, Daly, Gubser, Holland, Harrington, Haley, Lafollett of Marion, Lafollett of Yamhill, Mitchell, Mackay—13.

So senate bill No. 102 passed.

On the motion of Mr. R. A. Miller, senate bill No. 152 was read a third time.

“Shall the bill pass?”

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Biggs, Blevins, Crook, Culver, Davis, Gard, Goodsell, Gay, Hale, Henry, Hansard, Hicks, Harris, Holmes, Haley, Kruse, Lockett, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Pomeroy, Palmer, Pendleton, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilcox, Mr. Speaker—45.

Nays—None.

Absent—Messrs. Blundell, Bowditch, Bilyeu, Crockett, Daly, Gubser, Holland, Harrington, Johnson, Lafollett of Marion, Lafollett of Yamhill, Mitchell, Osborn, Paulsen, Wilson—14.

So senate bill No. 152 passed.

Mr. McLean moved that senate bill No. 152 with amendments be referred to committee on railways and transportation.

Motion prevailed.

Mr. Roberts moved to take up senate bill No. 90 and put it on its final passage.

The motion carried.

Senate bill No. 90 was read third time.

“Shall the bill pass?”

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Bowditch, Blevins, Crook, Culver, Davis, Gard, Gubser, Goodsell, Gay, Hale, Henry, Hansard, Hicks, Holmes, Haley, Kruse, Lockett, Layman, Laughlin, Little, Maxwell, Miller of

Jackson, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Pomeroy, Palmer, Pendleton, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Wilson, Wilcox, Mr. Speaker—43.

Nays—None.

Absent—Messrs. Blundell, Bilyeu, Biggs, Crockett, Daly, Holland, Harris, Harrington, Johnson, Lafollett of Marion, Lafollett of Yamhill, Mayer, Miller of Linn, Mitchell, Osborn, Paulsen, Vanderpool—17.

So senate bill No. 90 passed.

Mr. McKenzie moved to take up senate bill No. 17 and put it on its final passage.

The motion prevailed.

Senate bill No. 17 was read the third time.

“Shall the bill pass?”

Mr. Benjamin demanded call of the house.

Chair ordered the clerk to call the roll and those absent were Messrs. Blundell, Bowditch, Bilyeu, Biggs, Crockett, Daly, Holland, Harris, Harrington, Johnson, Lafollett of Marion, Lafollett of Yamhill, Laughlin, Miller of Linn, Mitchell, Paulsen, Vanderpool—17.

The absentees being demanded, the Chair ordered the Sergeant-at-Arms to bring them in.

Mr. Roberts moved that further proceedings under call of the house be dispensed with.

Carried.

“Shall the bill pass?”

Mr. McCully rose to the point of order that senate bill No. 17 was not of the character included in the order of business.

The Chair did not sustain the point of order.

On the question, Shall the bill pass? the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Crook, Culver, Crockett, Davis, Gard, Goodsell, Gay, Hale, Henry, Hansard, Hicks, Holmes, Haley, Kruse, Lockett, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Stafford, Swank, Summers, Smith, Thompson, Taylor, Wilson, Mr. Speaker—41.

Nays—Messrs. Bowditch, Blevins, Richardson—3.

Absent—Messrs. Blundell, Bilyeu, Biggs, Daly, Gubser, Holland, Harris, Harrington, Johnson, Lafollett of Marion, Lafollett of Yamhill, Mayer, Miller of Linn, Mitchell, Vanderpool, Wilcox—16.

So senate bill No. 17 passed.

On motion of Mr. Hale, the house adjourned.

FRIDAY, FEBRUARY 11, 1887.

MORNING SESSION.

HOUSE OF REPRESENTATIVES, }
SALEM, February 11, 1887. }

House called to order at 9:30 A. M., the Speaker in the chair.

The roll was called and those absent were Messrs. Goodsell, Johnson, Kruse, R. A. Miller, Mitchell, Munger, Noyer, Pomeroy, Summers and Wilcox.

On motion of Mr. Gay, the reading of the journal was dispensed with.

Public lands committee with leave to report at any time reported amended house bill No. 244 as follows:

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, February 11, 1887. }

Mr. Speaker: Your committee on public lands, to whom was referred house bill No. 244, with leave to report at any time, beg leave to report the same back with the recommendation that it do pass when amended so as to read as follows:

AMENDMENT.

A bill for an Act to declare void certain certificates of sale and to forfeit certain lands; to authorize the cancellation of such certificates; to direct the repayment of moneys paid thereon and to provide funds therefor; to preserve the rights of settlers on swamp lands; to authorize the institution of suits to cancel conveyances obtained by fraud and to provide for the issuance of deeds to swamp lands without reclamation.

Be it enacted by the Legislative Assembly of the State of Oregon.

Section 1. That all certificates of sale issued by "the board of commisssoners for the sale of school and university lands" and for the investment of the funds arising therefrom for swamp or overflowed lands filed on under the provisions of the Act of October 26, 1870, on which the twenty per centum of the purchase price was not paid prior to January 17, 1879, where the State was legally entitled to such payment, are hereby declared void and of no force or

effect whatever; and said board of commissioners is hereby authorized and directed to cancel said certificates of sale.

Section 2. All swamp or overflowed lands sold under the provisions of the Act approved October 26, 1870, relating to swamp lands, which have not been reclaimed or paid for within the time therein specified in accordance with the provisions of said Act, are hereby declared forfeited and the certificates of sale are declared void and the said board is authorized to cancel the same; but the provision of this section shall not apply to actual settlers who have paid their twenty per centum, which settlers may perfect title without reclamation by the payment of the remaining eighty per centum before January 1, 1889.

Section 3. Upon surrender of any such void certificate of sale or any certificate of sale or receipt given for payment on lands sold as swamp or overflowed lands, but which are in fact dry, or if any of such certificates of sale or receipts be lost or destroyed or beyond the control of the purchaser or his legal representative, then upon submission of the proof of such loss the board shall order the amount paid thereon or such portion of such amount as shall remain after making the deduction therefrom hereinafter provided for in certain cases to be repaid to such purchaser or his legal representative, and the Secretary of State shall draw his warrant for the amount so ordered repaid on the general fund.

Section 4. The proceeds of all sales of swamp lands shall be paid into the swamp land fund, and shall be applied to the payment of outstanding warrants payable out of said fund and the warrants authorized by this Act.

Section 5. The said board is hereby authorized to cause suits to be instituted in the name of the State to set aside any deed issued by said board upon fraudulent representations. If necessity requires, the board is authorized to employ attorneys to defend the interests of the State or to institute suits for any just cause arising under the laws relating to swamp lands, until such time as the State shall have an attorney-general.

Section 6. Any legal applicant to purchase swamp or overflowed lands who had complied with the provisions of an Act approved October 26, 1870, entitled an "Act providing for the selection and sale of swamp and overflowed lands belonging to the State of Oregon," including the payment of the twenty per cent. of the purchase price, prior to January 17, 1879, shall, without reclamation, upon payment of the balance of the purchase price, be entitled to and shall receive a deed for the land; *provided*, that such payment be made prior to January 1, 1889.

Section 7. In all sales or conveyances which shall hereafter be

made of swamp lands, an easement of thirty feet on each side of all section lines shall be reserved for a public highway.

Section 8. All swamp or overflowed lands reverting to the State under the provisions of this Act shall be sold as provided in the Act approved October 18, 1878, relating to swamp lands; *provided*, that present actual settlers shall have the exclusive right to purchase the lands occupied, not exceeding 640 acres to any one person, for one year from the approval of this Act, and that all other forfeited land shall be withheld from sale for a period of one year.

Section 9. Any actual settler who shall have purchased prior to February 1, 1887, from the original holder of any certificate, which is by this Act declared void or forfeited, any of the lands mentioned in this Act, shall, upon making to said board satisfactory proof of such purchase and of settlement and improvement of such land, be entitled to receive the amount of money paid by such original holder to the State for such tract of land, and such sum of money shall be deducted from the amount which is by section 3 of this Act directed to be repaid upon the surrender of such certificate; *provided*, that the repayment to such purchaser shall be made upon the same conditions as are provided in said section 3; *and provided further*, that no person shall receive in such repayment more than was paid to the State for such land.

Section 10. Within two years from the date of the approval of this Act by the Governor all legal claimants to swamp and overflowed or tide lands who complied with the provisions of the Act approved October 26, 1870, and who have actually paid in cash or its equivalents the required 20 per centum of the purchase price of such land prior to January 17, 1879, are hereby required to pay the remainder of said purchase price to the board of commissioners for the sale of such lands, and upon such payment of said remaining 80 per centum of the purchase price of said land all such legal claimants shall be entitled to a deed from the State for the lands so purchased; *provided*, that in all cases where the transfer of evidence of title to swamp and overflowed or tide lands so claimed has not yet been made in full from the United States to the State of Oregon the provisions of this Act shall take effect from the date of such transfer of evidence of title from the United States to this State.

Section 11. All Acts and parts of Acts in conflict herewith be and the same are hereby repealed.

Section 12. Owing to its great importance, this Act shall take effect and be in force from and after its approval by the Governor.

Mr. McLean moved the adoption of the amended bill.

Mr. Daly moved to amend the motion by having 200 copies printed.

Carried.

Mr. McLean rose to a question of privilege and desired to go upon record to the effect that as chairman of the public lands committee of the house he had not been fairly dealt with by the joint committee on swamp and overflowed lands and the clerk of said committee, in that the report had been drawn up and submitted for his signature without his advice and that he had signed it under protest and that the report does not show the facts in the case but is the expression of foregone conclusions, and he desired to be so placed on record.

Mr. Daly also rose to a question of privilege and as a member of committee on public lands denied having any desire to treat the gentleman with any unfairness.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, ()
SALEM, February 10, 1887.)

Mr. Speaker: I am directed by the President to inform you that the senate has passed senate bill No. 172, being a bill for an Act to amend an Act entitled an Act to incorporate the city of Portland.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Mr. Goodsell moved that senate bill No. 172 be read under suspension of the rules first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Palmer, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—54.

Nays—Mr. Paulsen—1.

Absent—Messrs. Bilyeu, Biggs, McLean, Pomeroy, Pendleton—5.

So the rules were suspended and senate bill No. 172 was read

first time by title only and passed to second reading without question.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 10, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed senate bill No. 173, a bill for an Act fixing the compensation of the sheriffs of Clatsop and Curry counties for collecting taxes.

And the same are herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

The bill was read first time and passed to second reading without question.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 10, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed house bill No. 12, being a bill for an Act to provide for the times and places of holding the circuit courts in the first judicial district.

And the same is herewith transmitted to you for enrollment.

E. G. HURSH,
Chief Clerk.

The bill was ordered enrolled.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 10, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed senate bill No. 57, being a bill for an Act to authorize county courts to expend county money in the construction of county roads.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

And the bill was read first time and passed to second reading without question.

On motion of Mr. Summers, Hon. D. P. Thompson was invited to a seat within the bar.

On motion of Mr. Little, the house ordered 200 copies of house bill No. 214 printed.

The hour of 10 o'clock having arrived, the house proceeded to consider the Governor's veto of house bill No. 32, it being the special order for this hour.

On the question, Shall house bill No. 32 pass notwithstanding the Governor's objections and veto? discussion arose.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Crook, Culver, Crockett, Gay, Holland, Hicks, Harris, Harrington, Holmes, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Maxwell, Mitchell, McLean, Munger, Mackay, McCully, Pomeroy, Pendleton, Roberts, Summers, Wilson, Mr. Speaker—29.

Nays—Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Davis, Daly, Gubser, Hale, Henry, Hansard, Haley, Mayer, Miller of Jackson, Miller of Linn, McKenzie, Noyer, Osborn, Palmer, Paulsen, Richardson, Stafford, Swank, Smith, Thompson, Taylor, Vanderpool, Wilcox—29.

Absent—Messrs. Gard, Goodsell—2.

So the house refused to pass house bill No. 32 over the Governor's veto.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 11, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has adopted and agreed to house joint resolution No. 11, authorizing the Secretary of State to have the journals of the legislative assembly copied for the use of the State Printer.

And the same is herewith transmitted to you for enrollment.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 11, 1887. }

Mr. Speaker: I am directed by the President to inform you that

senate joint resolution No. 14 has been correctly enrolled.

And the same is herewith transmitted to you for your signature.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 11, 1887. }

Mr. Speaker: I am directed by the President to inform you that senate joint memorial No. 7 has been reported correctly enrolled.

And the same is herewith transmitted to you for your signature.

E. G. HURSH,
Chief Clerk.

The Chair announced that he was about to sign senate joint resolution No. 14 and senate joint memorial No. 7, and subsequently that he had signed them.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 11, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed senate bill No. 15 over the objection and veto of the Governor.

And the same is herewith, together with the Governor's veto message, transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE GOVERNOR.

STATE OF OREGON,
EXECUTIVE OFFICE,
SALEM, February 9, 1887. }

To the Honorable the Senate of the State of Oregon:

I herewith return senate bill No. 15, entitled "An Act to authorize the construction of a bridge across the Willamette river between the city of Portland and the city of East Portland, in Multnomah county, State of Oregon," with my dissent.

The very large majority which the bill received in both houses, and the great care which they evinced in placing restrictions on the

grant conferred by the bill under ordinary circumstances would impel me to give my assent to the bill. • But when I take into consideration the fact that the proposed bridge is an obstruction to the harbor of Portland which has heretofore been open and free, that it will render comparatively valueless over 17,000 feet of the finest harbor frontage in the world, that it will practically cause the formation of a new harbor further removed from the city, and that it will thus cause the enhancement of the value of some wharf property by the virtual destruction of other wharf property, I am compelled to exercise my constitutional prerogative to prevent the consummation of such a serious blow, not only to the commerce of the city of Portland, but also to the material interests of the people of the whole State, who are all alike interested in preserving the commercial interests of the metropolis. In the construction of railway bridges across navigable streams, there necessarily have to be mutual concessions. Any bridge is an obstruction to commerce; but bridges must be built, the lines of river and railroad traffic must cross each other, and the interests of both should alike be guarded and subserved. If the site of the proposed bridge was the only or most feasible point for crossing the Willamette river, then there could be and would be no objection to its crossing at that point, provided the bridge was built at suitable height above the water, with draws of sufficient width, and of a character that would give the least possible obstruction to commerce. But when we take into consideration the fact that there is no other point on the Willamette river between Portland and East Portland, or below the two cities, where the bridge would be so serious an obstruction to commerce as is the proposed site; that at this point the river is the narrowest from Ross island to the Columbia; that it is less than eight hundred feet wide, while at the Morrison-street bridge it is fifteen hundred feet wide; that its current therefore is here stronger than at any other place between the upper part of the harbor and the mouth of the river; and that the width of such river would still further be narrowed by the erection of the piers necessary for such a bridge structure as is proposed by the bill, we are irresistibly forced to the conclusion that the railroad company was only looking to its own interest and was entirely oblivious to the interests of commerce, or that the location of the bridge was dictated by certain interests in real estate, to which both the interests of the railroad company and of commerce were alike ruthlessly subordinated. The erection of a railroad bridge at this point—the very throat of the Portland harbor—with a draw of only one hundred and fifty feet in the clear, means the virtual destruction of the harbor above that point. Sea-going vessels would

never go above the bridge. The former president of the company now seeking this franchise, as well as the judge of the U. S. district court for Oregon, after examination by experts, both declared that any bridge in the Portland harbor would be an obstruction to commerce; and the statement was made by the former that no bridge on the upper Mississippi was built with less than an 180-foot draw and by the latter, that on the Ohio river no draw was less than 160 feet, and that on both these streams navigation was confined exclusively to river boats. Here at the very mouth of the Portland harbor it is proposed to build a bridge with only a 150-foot draw, and is it to be supposed, if for river crafts alone 160 or 180 feet draw is deemed necessary on the Ohio and Mississippi rivers, that 150 feet would be sufficient on the Willamette for large sea-going vessels with tugs alongside? The idea is absurd on its very face. If the legislative assembly of the State of Oregon grants to the Oregon Railway and Navigation Company the franchise given by this bill it in effect places a padlock upon the harbor of Portland, and puts the key into the pocket of that company. That is the long and the short of the whole matter. For forty years Portland has been growing as it has grown on account of its splendid harbor facilities. Obstruct those facilities and you injure Portland. The large sea-going vessels would no longer spread their white wings at its wharves, but would be compelled hereafter to stop below the city at the wharves of the railroad company. It has been said that the erection of a bridge at the point proposed was a local question, and there has been a disposition to defer to local wishes. There never was a greater mistake. This is a question which affects all Oregon, and in which the representatives of the whole State are alike equally interested. The narrow gauge system of railway which threads the Willamette valley on both sides of the river will have its terminal facilities in the southern part of the city of Portland. If the right is given to the Oregon Railway and Navigation Company by the Oregon legislature to construct a bridge at the place designated in this bill all the grain shipped on the narrow gauge road will have to be carted about a mile in order to be loaded on vessels, thus subjecting the farmers along the route of that road to pay a forced tribute to the company that owns the bridge. And the people of eastern Oregon are also equally interested in maintaining a free harbor for Portland. It was with the greatest pleasure that I transmitted to you last week from one of our Senators the gratifying news that there was a reasonable hope of soon having the Columbia river open to unobstructed commerce. Representatives from eastern Oregon, the necessary complement to a free river is a free harbor. Of what particular avail would a free river be to that section of the

country if the wharves of Portland are fenced in by a bridge so that its products would be compelled to seek the wharves below the bridge of the company that controls it, and to pay the tribute which, by reason of this monopoly of wharves, they would demand? In order to more fully show to the legislative assembly of Oregon the irreparable injury which it is proposed to inflict on the commerce of Oregon by the obstruction of the harbor of its metropolis by allowing the Willamette river to be bridged at the very worst possible place and with an insufficient opening, I herewith submit the following findings of the board of United States engineers, who were directed by the war department to examine the location of this bridge in accordance with the provisions of the United States senate bill No. 2,904, introduced by Senator Dolph in the first week of the present session of congress.

U. S. ENGINEER OFFICE,
PORTLAND, OGN., February 7, 1887. }

Hon. Sylvester Pennoyer, Governor of Oregon, Salem, Oregon:

SIR: Under instructions from the chief of engineers, United States army, we have the honor to submit to you the following remarks upon the proposed bridge at I street, across the Willamette river at Portland:

The location is not in our judgment judicious for the following reasons: It is at the narrowest point in the harbor, where the hydraulic conditions are such that the waterway is already too small for the discharge at high stages. The introduction of bridge piers at this point would have a bad effect upon the regimen of the river, and might injure or destroy valuable portions of the harbor and ship channel. Furthermore the location is not adapted to a draw of sufficient width, and the bridge would practically form the head of a harbor already limited in capacity.

From this point to the natural head of the harbor at Ross island the deep water frontage has a length of 14,000 feet on the Portland side, and about 3,600 feet on the East Portland side. Below it there is a length of 8,500 feet on the East Portland side and not exceeding 3,000 feet on the Portland side. Above this point lies a considerable stretch of wide and deep river. To terminate the harbor at this point would necessitate the forming of a new harbor below it, at a considerable cost in the first place and a continuous cost for dredging for maintenance thereafter. This would entail a serious tax upon the commerce of the port.

The board has further to remark that whatever location should be adopted the law should require—

1. That the piers of the bridge be placed parallel with the current at mean high water stages due to the river's own freshets.

2. That the clear headway under said bridge should be at least ten feet at the highest known stage due to the same freshets.

3. That if the draw span be adjacent to either bank the right of wharfage on that bank should be extinguished for a distance of at least 700 feet above and 700 feet below the bridge; this for the purpose of insuring a free and unobstructed approach to the shore opening.

4. That rest piers should be provided above and below the pivot pier, with suitable filling between them, and also other accessory structures as may be needed for the safe passage of vessels.

5. That the company operating the bridge shall maintain at its own expense good and sufficient light and fog signals, and open the draw for the passage of vessels promptly upon reasonable signal.

6. That no rip-rapping or other filling or projections around the piers shall materially reduce the waterway between them.

Should the location at "I street" be approved, the law should require:

That the tracks cross Front street with a clear headway of 14 feet; otherwise the minimum height of the bridge above the river would necessitate the crossing of this street at a height which would seriously obstruct the said street at a point where the wagon traffic is heavy and which it cannot conveniently avoid, because the adjacent streets are vacated.

In conclusion the board begs to state that the two lines of traffic along the harbor and across it can hardly exist together without serious concessions by each; and that a fair compromise would be the surrender of the part of the harbor above Market street. A bridge at this point or above could connect with the North Portland terminal grounds by different practicable routes and form a junction for all the railroads centering at Portland. Draw openings at this point could be 160 feet wide.

Another alternative location for a railroad bridge, considerably below the harbor, would be at St. Johns, where the draw openings should be at least 200 feet wide.

We have the honor to be your very obedient servants,

W. A. JONES,

Major of Engineers.

CHAS. F. POWELL,

Captain of Engineers.

EDW. BURR,

First Lieut. of Engineers.

This report, in my judgment, should be as conclusive in determining your vote upon this measure as it has been in determining my action in regard to it. With this report before them, neither

the war department nor congress will sanction the construction of a bridge at the site proposed by senate bill No. 15. Of what avail, then, would be the State legislative authorization? While congress cannot authorize the construction of a bridge within State limits (3 Wallace, 713), yet, "having power to regulate commerce with foreign nations and among the several States; and navigation being a branch of that commerce, it has the control of the navigable waters between the States, or connecting with the ocean, so as to preserve and protect their free navigation." (109 U. S., 385.) If, in the judgment of the war department, this bridge, at the site proposed, is a serious obstruction to commerce, the Federal Government, by virtue of its paramount authority in regard thereto, could and would interpose and prevent its construction.

But while I am forced to thus interpose my objection to the erection of a bridge at the place designated in this bill, I am not opposed to the construction of a railroad bridge at Portland; but, on the other hand, would most cheerfully give my assent to a bill that would not seriously interfere with the commerce of the city. The erection of the Morrison street bridge has already virtually destroyed about a mile of one of the finest harbors in the world. Conceding that, I would willingly give my assent to the construction of a railroad bridge at any place above that structure. And the railroad company could build a bridge above Morrison street at a much less expense than at the site proposed in senate bill No. 15, and without materially interfering with commerce.

All the restriction that I would wish beyond what is already stipulated in the bill would be one preventing the collection of fare from foot passengers. While granting favors to railroad corporations it would not be amiss if the legislative assembly should grant for once one small favor to the poor man. The wear of foot passengers on the bridge is not really perceptible, and their free passage would work no other injury to the owners of the bridge than the loss of toll. For about thirty years past all legislation in this country, State and Federal, has been exclusively in the interest of the rich, and if now the legislative assembly of Oregon in one single instance should make one small provision in favor of the poor man it would shine out in the midst of the legislation of the country like a lighted torch in the midst of cavernous gloom.

While I feel compelled to give my dissent to this bill, I will state again that I am not opposed to the building of a railroad bridge at Portland, but would cheerfully give my assent to a bill providing for its construction in a place and manner that would not materially conflict with the commercial interests of Portland.

I veto the bill.

SYLVESTER PENNOYER

Governor.

Vetoed senate bill No. 15 read.

Mr. Summers moved to postpone consideration on vetoed senate bill No. 15 till 3 P. M. this day.

Mr. R. A. Miller moved to amend by saying 10 A. M. to-morrow.

The amendment carried and as amended the motion to postpone was adopted.

By consent the house took up reports of standing and special committees.

Committee on education reported as follows:

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 11, 1887. }

Mr. Speaker: Your committee on education, to whom was referred house bill No. 219, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house without recommendation.

J. E. BLUNDELL,
Chairman.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 11, 1887. }

Mr. Speaker: Your committee on education, to whom was referred house bill No. 220, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house without recommendation.

J. E. BLUNDELL,
Chairman.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 11, 1887. }

Mr. Speaker: Your committee on education, to whom was referred house bill No. 127, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do not pass.

J. E. BLUNDELL,
Chairman.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 11, 1887. }

Mr. Speaker: Your committee on education, to whom was referred house bill No. 192, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the following amendment, to-wit:

AMENDMENT.

In line seventeen (17) of section 2 of the original bill after the words "now authorized by law" add the following words: "upon payment of the fees for the same as required by law."

And with this amendment report it back to the house without recommendation.

J. E. BLUNDELL,
Chairman.

And on motion of Mr. Blundell, the house adopted the amendment and house bill No. 192 was ordered engrossed.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 10, 1887. }

Mr. Speaker: Your committee on judiciary, to whom was referred house bill No. 125, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

S. R. HARRINGTON,
Chairman.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 10, 1887. }

Mr. Speaker: Your committee on judiciary, to whom was referred house bill No. 135, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house without recommendation.

S. R. HARRINGTON,
Chairman.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 10, 1887. }

Mr. Speaker: Your committee on judiciary, to whom was referred house bill No. 232, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do not pass.

S. R. HARRINGTON,
Chairman.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 10, 1887. }

Mr. Speaker: Your committee on claims, to whom was referred house bill No. 258, for the relief of George Clark, beg leave to report that they have had the same under consideration, and would respectfully report it back without recommendation.

W. B. CULVER,
Chairman.

And the bill was considered engrossed and passed to third reading.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 10, 1887. }

Mr. Speaker: Your committee on claims, to whom was referred house bill No. 231, for the relief of Coos and Curry counties, beg leave to report that they have had the same under consideration, and would respectfully report it back with the recommendation that it do not pass.

W. B. CULVER,
Chairman.

And the bill was ordered considered engrossed and passed to third reading.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 9, 1887. }

Mr. Speaker: Your committee on roads and highways, to whom

was referred house bill No. 140, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendments:

FIRST AMENDMENT.

Wherever the name of county road supervisor occurs it shall be amended so as to read and mean county road superintendent.

SECOND AMENDMENT.

Wherever the word July occurs the word January to be substituted.

THIRD AMENDMENT.

In line 3, section 6, the words "at each" to be stricken out and the words "as often as once in three months" substituted.

M. O. GARD,
Chairman.

On motion of Mr. Laughlin, the amendment was adopted and the bill ordered engrossed.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 8, 1887. }

Mr. Speaker: Your committee on roads and highways, to whom was referred house bill No. 152, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following restrictions:

In title of bill strike out all after word "necessary," and all of section (5) five.

M. O. GARD,
Chairman.

The amendment was adopted on motion of Mr. Gard.

The amendment was inserted in the bill and the bill was considered engrossed and passed to third reading.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, February 9, 1887. }

Mr. Speaker: Your committee on roads and highways, to whom was referred house bill No. 255, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

M. O. GARD,
Chairman.

And the bill was considered engrossed and passed to third reading.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, February 9, 1887. }

Mr. Speaker: Your committee on roads and highways, to whom was referred house bill No. 206, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

M. O. GARD,
Chairman.

The bill was considered engrossed and passed to third reading.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, February 9, 1887. }

Mr. Speaker: Your committee on roads and highways, to whom was referred house bill No. 159, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house without recommendation.

M. O. GARD,
Chairman.

The bill was considered engrossed and passed to third reading.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, February 9, 1887. }

Mr. Speaker: Your committee on roads and highways, to whom was referred house bill No. 209, beg leave to report that they have

had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

M. O. GARD,
Chairman.

And the bill was ordered considered engrossed and passed to third reading.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, February 9, 1887. }

Mr. Speaker: Your committee on roads and highways, to whom was referred house bill No. 182, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house without recommendation.

M. O. GARD,
Chairman.

The bill was ordered considered engrossed and passed to third reading.

On motion of Mr. Harrington, house bill No. 144 was referred to judiciary committee for amendment.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, February 9, 1887. }

Mr. Speaker: Your committee on corporations, to whom was referred house bill No. 141, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendments:

FIRST AMENDMENT.

Make the word "sections" in the second line of the title to the original bill read "section." Strike out the figures 4 and 6 and the word "and" in the second line of the title to the original bill.

SECOND AMENDMENT.

Strike out sections 1 and 2 of printed bill; make section 3 read section 1.

THIRD AMENDMENT.

Make section 4 of printed bill read section 2.

Insert the following in lieu of section 2 of printed bill:

Section 2. That section 35 of chapter 5 of said Act be amended so as to read as follows:

Section 35. The council has power and authority within the limits of the corporation—

1. To assess, levy and collect taxes for city purposes not to exceed one-half of one per centum upon all property, both real and personal, within the city limits which is taxable by law for State or county purposes, and no deduction on account of indebtedness shall be made except indebtedness within the city of La Grande.

2. To levy and collect a special tax of one per centum upon all the property assessed by authority of the first subdivision of this section for any specific object within the authority of this municipal corporation, including the payment of any debt; but the ordinance providing therefor must specify the object thereof and the estimated amount thereof.

3. To license, tax and regulate auctioneers, taverns, peddlers and pawnbrokers, hotel runners and boarding house runners, and to define what shall constitute the same; and to license, tax, regulate and restrain all offensive trades and occupations.

4. To license, tax and regulate hacks, cabs, hackneys, carriages, wagons, carts, drays or other vehicles used for the transportation of passengers or any article of trade, earth, ballast or building material and other substance, and to fix rates therefor whether the same be used for hire or not.

5. To license, tax and regulate junk dealers and dealers in second-hand merchandise; to license, tax and regulate the theatrical and other exhibitions, shows, public amusements, billiard tables or other tables where balls and cues are used, shooting galleries and bowling alleys; and to suppress bawdy houses, gaming and gambling houses, places kept for smoking opium and opium smoking, and to punish inmates of bawdy houses, houses of ill-fame, keepers of places kept for smoking opium and opium smokers, and to provide by ordinance for the summary closing of such places, houses or rooms.

6. To license, tax, regulate and restrain bar-rooms, saloons, drinking shops and tippling houses; *provided*, that no law, or part thereof, authorizing any tribunal or officer of Union county to grant tavern or grocery licenses shall apply to persons vending liquor within the city of La Grande; and, *provided further*, that no license shall be granted for a less amount or sum than the statutes of the State shall require to be paid to the county court.

7. To provide the city with good and wholesome water; to provide for lighting the streets with gas or other lights, and for the erection of such works within or without the city limits as may be necessary or convenient therefor; *provided*, that the council may grant the privilege and franchise of lighting the streets or supplying the water, as aforesaid, to any private corporation, person or company of persons upon such terms and conditions as may be just.

8. To suppress and prohibit public dance houses, where dancing is permitted or carried on independent of or connected in any manner with any other business, as well as all model artist exhibitions and other shows of an immoral nature.

9. To provide for the restraint, support and employment of vagrants and paupers.

10. To provide and maintain either or both a day or night police.

11. To remove all obstructions from the public highways, streets, side and crosswalks, alleys, gutters and sewers, and to provide for the construction, repair and cleaning of the same.

12. To regulate the rate of speed upon railroads within the corporate limits, the loud or unnecessary blowing of whistles, and to prevent fast or furious riding or driving upon the streets and alleys therein.

13. To appropriate money for city expenditures and to provide for the payments of the debts of the same.

14. To prevent and punish trespass upon real and personal property.

15. To make regulations to prevent the introduction of contagious diseases in the city, or remove persons afflicted with such diseases therefrom to suitable hospitals or buildings provided by the city for that purpose; to secure the protection of persons and property therein and to provide for the health, cleanliness, ornament, peace and good order of the city.

16. To provide for the erection of a city jail, house of correction and work house, and the government and management of the same.

17. To prevent and remove nuisances and to declare by general rules what shall constitute the same, and to make the expense of abating a nuisance a lien upon the property where such nuisance exists; to fill up or drain any lots or blocks wherever stagnant water stands and to make the costs thereof a lien upon the property; but in such case the same must be reported to the council and the necessity thereof declared, and thereupon the work must be let to the lowest bidder and the cost thereof be made a lien and collected in like manner as street improvements.

18. To prohibit the erection or repair of wooden buildings within the fire limits, to be declared by ordinance, and to restrict and limit

the height of buildings within such limits; to provide for and determine the number and size of places of entrance and exit from all public halls, churches and all other buildings used for public gatherings and the mode of hanging doors thereat.

19. To provide for the establishment of market houses and places, and to regulate the location and management of market houses and market places.

20. To regulate the storage and sale of gunpowder and Giant powder, dynamite, nitro-glycerine, oil or combustible material, and to prevent by all possible and proper means danger or risk of injury or damage by fire from carelessness, negligence or otherwise.

21. To restrain and punish intoxication, fighting and quarreling on the streets, and any disturbance or any unlawful or indecent practice, and to define what shall constitute the same.

22. To prohibit the carrying of deadly weapons in a concealed manner.

23. To regulate and prohibit the use of guns, pistols and firearms, fire-crackers, bombs and detonating works of all descriptions.

24. To prevent, restrain, punish and disperse any riot or riotous assemblage or any person taking part therein.

25. To control and regulate slaughter houses, wash houses and public laundries, and provide for their exclusion from the city limits or any part thereof.

26. To prevent any and all domestic animals from running at large within the city limits or any portion thereof.

27. To regulate the driving of stock through the streets.

28. To compel all persons erecting or maintaining privies or cess-pools within 100 feet of any street in which a sewer has or may be constructed, to connect the same therewith; *provided*, that in cases where the blocks are more than 100 feet in width this authority shall extend to the center of the block.

29. To regulate the use of streets, roads and highways and public places for foot passengers, animals, cars, vehicles, street railways, and to locomotives; to protect the public from injury by runaways, by punishing persons who negligently leave horses or carriages in the streets without secure fastenings; to prescribe the width of tires of drays, trucks, carts and other vehicles, and the weight to be carried thereby, for the preservation of the streets and highways.

30. To regulate the use of sidewalks, and prevent the extension of building fronts and house fronts within the street lines, but they shall have no power to authorize the placing, continuing of any encroachment or obstruction upon any street or sidewalk except for the temporary use or occupation thereof during the erection or repair of a building upon the adjacent lot, or the display of goods by the occupants of adjacent buildings.

31. To regulate the opening of street surfaces, the laying of gas or water mains, the building and [of] water mains, the building and repairing of sewers and the erection of gas works.

32. To provide for the survey of the blocks and streets of the city and for working and establishing the boundary lines of such blocks and streets.

33. To permit, allow and regulate the laying down of tracks for street cars and other railroads upon such street or streets as the council may designate; to regulate and prevent public criers and advertising noises, steam whistles, the ringing of bells in the streets and to control and limit traffic on the streets, avenues and public places; to regulate the use of the streets and sidewalks for the use of signs, sign-posts, awnings, awning-posts, telegraph, telephone and electric light posts and other purposes; to regulate and prohibit the exhibition and hanging of banners and placards or flags in or across the streets or from houses or buildings; to prohibit the exhibition of deformed or crippled persons and to prohibit such persons from begging upon the streets or in public places; to establish from time to time such police stations as may be necessary; to provide for the cleaning and sprinkling of the streets and to punish those who shall refuse to do so; to prohibit persons from roaming the streets at unseasonable hours.

34. To prevent the erection of buildings within the city limits which shall be dangerous to passers-by or to adjacent property, and in case any building on public street shall become dangerous to passers-by the council shall have power to cause the same to be removed or made safe at the expense of the property, and such expense shall be made a lien upon the property, and shall be collected in the same manner as street improvements.

35. To allow and regulate the maintenance of telegraph poles and wires used in connection with or as a part of electric light works, in, on and over the streets, alleys, public parks and public grounds of said city, and in, over and upon any lands owned or under control of said city, whether they lie inside the limits of said city or not.

36. To purchase, take and hold real estate when sold for city taxes or for any improvement ordered by the council, and to sell and to dispose of by the same.

37. To provide for the punishment of a violation of any ordinance of the city by fine or imprisonment not exceeding three hundred (300) dollars or ninety days, or both or by a forfeiture or penalty not exceeding three hundred (300) dollars, and for working any person sentenced to such imprisonment upon the streets, public squares, work houses or house of correction during the term thereof, and to provide for the punishment of any person sentenced to imprisonment who shall refuse to work when ordered.

38. To license and regulate such callings, trades and employments as the public good may require to be licensed and regulated and as not prohibited by law.

39. To appropriate money to pay the debts, liabilities and expenditures of the city, or any part or item thereof from any fund applicable thereto.

40. To exercise such power and authority as may be given to the council by this Act.

41. To locate and construct any ditch, canal or pipe for the conduct of water, and any drain, sewer or culvert it may deem necessary or convenient, and for such purpose it shall have a right to enter upon any land between the termini of such ditch, canal or pipe, drain, sewer or culvert for the purpose of examining, locating and surveying the line of such ditch, canal, pipe, drain, sewer or culvert, doing no unnecessary damage thereby, and to appropriate so much of said land as may be necessary for the construction of such ditch, canal, pipe, drain, sewer or culvert, in like manner as provided in chapter 7 of the miscellaneous laws of the State of Oregon, as compiled by Matthew P. Deady and Lafayette Lane; for the appropriation of lands or right of way by corporation therein named, and to appropriate and divert from its natural course or channel for the purpose of drainage or flushing any drain, sewer or culvert, any spring or stream of water.

42. The power and authority given to the council by section 38 can only be enforced or exercised by ordinance, unless otherwise expressly provided, and a majority of the council may pass any ordinance not repugnant to the laws of the United States or of this State necessary or convenient for carrying such power or authority or any part thereof into effect.

43. To oblige all persons in the city jail who may be imprisoned for vagrancy or for violating any city ordinance to work on the public streets under the control and direction of the street superintendent, and, if need be, secure said prisoner with ball and chain while working.

44. To provide for the collection and disbursing of all moneys to which the city may become entitled, or which may be assessed or authorized to be collected for city purposes within the limits of the same; and the council is hereby authorized and empowered to enforce the collection of any general or special tax levied in pursuance of this Act, and may authorize the issue of warrants, the levy upon both real and personal property, whether the same be exempt from execution or not, of delinquent tax-payers within the city, and cause the same to be sold under such rules and regulations as the council shall establish to satisfy such warrants and fees of officers and other expenses attending such levy and sale.

45. To provide for measuring and weighing hay and wood and other commodities bought and sold or offered for sale within the city limits.

46. To prohibit officers of the city purchasing demands against the city or orders drawn on the treasurer thereof for a less amount than that expressed in the face of such demands or orders.

FOURTH AMENDMENT.

Make section 5 of printed bill read section 3.

FIFTH AMENDMENT.

Make section 6 of printed bill read section 4.

SIXTH AMENDMENT.

Make section 7 of printed bill read section 5.

SEVENTH AMENDMENT.

Make section 8 of printed bill read as follows:

EIGHTH AMENDMENT.

Make section 9 of printed bill read as follows:

Section 7. That section 144 of chapter 12 of said Act of incorporation be amended so as to read as follows:

Section 144. The city of La Grande as incorporated by this Act and the municipal corporation created by this Act shall pay all the debts, discharge all liabilities and execute all the obligations and trusts of the municipal corporation created by any former Act of this assembly and designated as the town of La Grande.

NINTH AMENDMENT.

Make section 10 of printed bill read section 8.

TENTH AMENDMENT.

Make section 11 of printed bill read section 9.

R. R. LAUGHLIN,
Chairman.

On motion of Mr. Laughlin, the house ordered 200 copies of amendments printed to house bill No. 141.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 11, 1887. }

Mr. Speaker: Your committee on corporations, to whom was referred house bill No. 241, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass as amended.

R. R. LAUGHLIN,
Chairman.

AMENDMENT.

Commencing at a point that is 6.25 chains south of the corner of fractional sections 7, 8, 17 and 18, township 11 south, range 11 west, Willamette meridian, thence along Pacific ocean meandering line to the northwest corner of the United States light house reservation, thence east to section line between sections 7 and 8, thence north along said section line to the northwest corner of Case and Baily's third addition to the city of Newport; thence east to the northeast corner of Ohlson's addition to the city of Newport, thence south to the center of the channel of Yaquina bay, thence westerly along said channel line to a point south of the place of beginning, thence north to the place of beginning.

The amendment was adopted on motion of Mr. Davis.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 7, 1887. }

Mr. Speaker: Your special joint committee on fisheries, to whom was referred house bill No. 251, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

JOHN G. ALLEN,
Chairman.

And the bill was considered engrossed and passed to third reading.

The house granted the request of the committee on insurance to report this afternoon.

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REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 1, 1887. }

Mr. Speaker: Your committee on insane asylum, to whom was referred house bill No. 78, have had the same under consideration, and report the same back with the recommendation that it do not pass.

J. H. ROBERTS,
Chairman.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 9, 1887. }

Mr. Speaker: Your committee on assessment and taxation, to whom was referred house bill No. 234, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house without recommendation.

D. SMITH,
Chairman.

On motion of Mr. R. A. Miller, house bill No. 237 was referred to committee on internal improvements.

On motion of Mr. McCully, senate bill No. 62 was referred to committee on public lands.

SECOND READING OF SENATE BILLS.

Mr. Gubser moved to suspend the rules and read senate bill No. 137 second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Crook, Culver, Crockett, Davis, Gard, Gubser, Gay, Holland, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Kruse, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Linn, Mitchell, McLean, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—49.

Nays—Mr. Lockett—1.

Absent—Messrs. Biggs, Blevins, Daly, Goodsell, Hale, Johnson, Miller of Jackson, Munger, Paulsen, Roberts—10.

Mr. Mitchell moved the adoption of the following amendment to senate bill No. 137.

AMENDMENT.

Strike out of section 8 the following words after the word charter: "and bonds issued for this purpose shall be exempt from all taxation," said words being found in lines 32 and 33 of the house printed bill.

Mr. Thompson moved to amend the motion by referring the bill to judiciary committee.

Mr. Blundell moved to indefinitely postpone the whole subject and after a vivacious discussion all around, call of the house demanded by Messrs. Mitchell and Bilyeu.

The roll was called and those absent were:

Messrs. Miller of Jackson, Mackay, Noyer, Wilson—4.

On motion of Mr. Bilyeu, further proceedings under the call of the house were dispensed with.

Shall senate bill No. 137 be indefinitely postponed?

On this question the roll was called and the vote was:

Ayes—None.

Nays—Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Linn, Mitchell, McLean, Munger, McKenzie, McCully, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilcox, Mr. Speaker—56.

Absent—Messrs. Miller of Jackson, Mackay, Noyer, Wilson—4.

Pending the consideration of the amendment, the house adjourned on motion of Mr. Thompson.

AFTERNOON SESSION.

House called to order at 1:30 P. M., the Speaker in the chair.

The roll was called and those absent were Messrs. Benjamin, Bowditch, Crook, Crockett, Gubser, Harris, Johnson, Noyer, Roberts, Summers, Thompson and Taylor.

The order being the consideration of the pending senate bill No. 137, Mr. Mitchell offered an amendment.

The proposition to amend was ruled out of order for the reason that a motion to amend is now pending.

Mr. Daly moved to refer the bill and amendment to the committee on judiciary.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bilveu, Daly, Lafollett of Yamhill, Mayer, Miller of Linn, McKenzie, Pomeroy, Mr. Speaker—10.

Nays—Messrs. Bowditch, Biggs, Blevins, Culver, Davis, Gard, Goodsell, Gay, Holland, Hale, Henry, Hansard, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Little, Maxwell, Miller of Jackson, Mitchell, Munger, Mackay, McCully, Osborn, Palmer, Pendleton, Paulsen, Richardson, Stafford, Swank, Smith, Vanderpool, Wilson, Wilcox—39.

Absent—Messrs. Crook, Crockett, Gubser, Hicks, Harris, McLean, Noyer, Roberts, Summers, Thompson, Taylor—11.

So the house refused to recommit the bill.

Mr. Daly offered an amendment as follows:

AMENDMENT.

I move to amend by inserting words and figures (two) \$2000 00 where \$30,000 00 is in the several sections of the original bill.

The motion failed.

Mr. Mitchell offered the following amendment, which, on motion of Mr. Harrington, was adopted:

AMENDMENT.

By striking out of section 8 the following words after the word banks: "to make laws for the encouragement of manufactories and for this purpose may exempt them from municipal taxation," said words being found in lines 29 and 30 of house printed bill.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, February 11, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed house bill No. 87, being a bill for an Act to

provide for publishing reports of county finances and to pay for the same.

And the same is herewith transmitted for enrollment.

E. G. HURSH,
Chief Clerk.

And the bill was ordered enrolled.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 11, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed house bill No. 254, being a bill for an Act to provide county commissioners for Columbia county, State of Oregon.

And the same is herewith transmitted to you for enrollment.

E. G. HURSH,
Chief Clerk.

And the bill was ordered enrolled.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 11, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed house bill No. 109, being a bill for an Act to prevent persons from unlawfully using or wearing the badge of the Grand Army of the Republic.

And the same is herewith transmitted for enrollment.

E. G. HURSH,
Chief Clerk.

And the bill was ordered enrolled.

On motion of Mr. Benjamin, Hon. B. S. Page was invited to a seat within the bar.

On motion of Mr. McLean, the house ordered 550 extra copies of the report of the committee on public lands printed.

MESSAGE FROM THE SECRETARY OF STATE.

OFFICE OF THE SECRETARY OF STATE,
SALEM, OREGON, February 10, 1887. }

To the Honorable the House of Representatives of the Legislative Assembly of the State of Oregon:

GENTLEMEN: In compliance with house resolution No. 51, re-

requesting me to furnish the house with information stating the amount of claims of John Mullan against the State, the character of the services for which such compensation is demanded and by whose authority said Mullan acted, I have the honor to state that the claims filed by Capt. John Mullan since the thirteenth biennial session of the legislative assembly are as follows:

1. A claim for \$7,026 80 for services rendered April 26, 1883, in collecting \$70,268 08 from the United States on account of Modoc Indian war.

2. A claim for \$527 00 for services rendered October 4, 1884, in collecting \$5,271 10 from the United States.

The same claims for said services were filed December 12, 1884, and were considered by committees on ways and means at the last regular session of the legislative assembly, together with a claim for \$2,463 05 for securing certification of school and other lands to the State and for salary as land agent from September, 1882, to January 1, 1885.

In the appropriation bill passed at that session there appeared the following item: "For pay of John Mullan for services as State agent at Washington, D. C., in securing certification and listing of lands, the collection of claims of the State of Oregon against the Federal Government from September 1, 1882, to January 1, 1885, \$2,500."

There is also on file a claim for \$2,118 22 for services as land agent and for securing certification of lands since January 1, 1885.

All of the above claims have been referred to and are now being considered by the committees on ways and means.

Capt. Mullan was appointed as an agent of the State by His Excellency Governor W. W. Thayer, as will be seen by reference to pages 38 and 39 of the house journal of 1882.

A letter written by Captain Mullan and endorsed by Governor Thayer is printed on pages 336, 337 and 338 of the house journal of 1882, and contains a statement of the terms upon which he was employed and the character of the service.

Captain Mullan has ever since said appointment acted as land agent of the State at Washington.

Page 15 of the report of the Secretary of State for 1885 contains a statement of the employment of Captain Mullan to represent the claim of the State against the United States for reimbursement of expenses incurred during the war of the rebellion, amounting to \$369,454 19.

The terms of his employment were such that upon the final adjustment of said claim Captain Mullan shall receive such sum for his services as the legislative assembly shall decide to be just.

The Secretary of State in the report above referred to says: "It is due to Captain John Mullan, the agent of the State in the prosecution of these claims, to say that he has rendered very material service in securing this payment by furnishing information and preparing and distributing legal arguments favorably affecting subsequent legislation by appearing before the committees appointed by congress to consider and report on the subject and before the departments entrusted with the duty of auditing the claims and by supporting the efforts of our senators and representatives, who also have exerted themselves to the same end."

I have the honor to remain, very respectfully, your obedient servant,

GEO. W. McBRIDE.

Mr. Paulsen moved to print 400 copies of the message.

Mr. Bilyeu moved to amend by saying 240 copies and refer the message to committee on ways and means.

The amendment was adopted and as amended the motion carried.

The message and 240 copies were ordered printed and referred to committee on ways and means.

Mr. Wilson moved to reconsider the vote by which house bill No. 249 was lost.

Mr. Mayer demanded a call of the house.

Those absent were Messrs. Biggs, Holland, Maxwell, Mitchell, Pomeroy—5.

Mr. Bilyeu demanded that the absentees be brought in.

Sergeant-at-Arms brought in Messrs. Biggs, Holland, Maxwell, Mitchell and Pomeroy, who were noted present.

Mr. Munger moved the previous question.

Carried.

So the Chair announced: Shall the vote by which house bill No. 249 was lost be reconsidered?

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bowditch, Bilyeu, Biggs, Crook, Culver, Crockett, Daly, Gard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Layman, Mayer, Maxwell, Miller of Jackson, Mitchell, Munger, Mackay, Noyer, Pomeroy, Pendleton, Roberts, Summers, Wilson, Mr. Speaker—31.

Nays—Messrs. Benjamin, Blundell, Blevins, Davis, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Lafollett of Yamhill, Laughlin, Little, Miller of Linn, McLean, McKenzie, McCully, Osborn, Palmer, Paulsen, Richardson, Stafford, Swank, Smith, Thompson, Taylor, Vanderpool, Wilcox—29.

So the house reconsidered the vote by which house bill No. 249 was lost.

And the Chair put the question, "Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bilyeu, Crook, Culver, Crockett, Daly, Gard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Layman, Mayer, Maxwell, Mitchell, Munger, Mackay, Noyer, Pomeroy, Pendleton, Roberts, Summers, Wilson
Mr. Speaker—28.

Nays—Messrs. Benjamin, Blundell, Bowditch, Biggs, Blevins, Davis, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Lafollett of Yamhill, Laughlin, Little, Miller of Jackson, Miller of Linn, McLean, McKenzie, McCully, Osborn, Palmer, Paulsen, Richardson, Stafford, Swank, Smith, Thompson, Taylor, Vanderpool, Wilcox—32.

Absent—None.

So house bill No. 249 failed to pass a second time.

Mr. Wilson rose to question of privilege and repelled certain insinuations which he considered unjust and stated that he only moved for reconsideration in order that the promoters of the measure might have an opportunity to fully explain the situation.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 11, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed house bill No. 248, being a bill for an Act for the relief of school district No. 47, Linn county, Oregon.

And the same is herewith transmitted for enrollment.

E. G. HURSH,
Chief Clerk.

And the bill was ordered enrolled.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 11, 1887. }

Mr. Speaker: Your committee on enrolled bills, to whom was referred house bill No. 233, beg leave to report the same back to the house as correctly enrolled.

JOHN WILSON,
Chairman.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 11, 1887. }

Mr. Speaker: Your committee on enrolled bills, to whom was referred house bill No. 12, beg leave to report the same back to the house as correctly enrolled.

JOHN WILSON,
Chairman.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 11, 1887. }

Mr. Speaker: Your committee on enrolled bills, to whom was referred house joint resolution No. 1, 1885, (Riddle) beg leave to report the same back to the house as correctly enrolled.

JOHN WILSON,
Chairman.

The Chair announced that he was about to sign house bills Nos. 12 and 233 and house joint resolution No. 1, and subsequently that he had signed them.

Senate bill No. 162 was read second time and passed to third reading without question.

Senate bill No. 170 was read second time and passed to third reading without a question.

Senate bill No. 48 was read second time and passed to third reading without a question.

Mr. Harrington moved that senate bill No. 106 be read second time by title only under suspension of rules.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Blevins, Culver, Crockett, Daly, Gard, Gubser, Gay, Holland, Hale, Henry, Hansard, Hicks, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Mayer, Maxwell, Miller of Linn, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Richardson, Stafford, Smith, Vanderpool, Wilson, Wilcox, Mr. Speaker—45.

Nays—None.

Absent—Messrs. Bilyeu, Biggs, Crook, Davis, Goodsell, Harris, Little, Miller of Jackson, Mitchell, McLean, Roberts, Swank, Summers, Thompson, Taylor—15.

So senate bill No. 106 was read second time by title only and passed to third reading.

The Speaker called Mr. Benjamin to the chair.

Senate bill No. 68 read second time and passed to third reading.

Senate bill No. 164 read second time and passed to third reading.

Mr. Noyer moved to suspend the rules and read senate bill No. 164 third time and put on final passage now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Culver, Crockett, Gard, Gay, Holland, Hicks, Haley, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Little, Mayer, Maxwell, Miller of Jackson, McLean, McKenzie, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Roberts, Taylor, Wilcox—27.

Nays—Messrs. Blundell, Bilyeu, Daly, Gubser, Hale, Henry, Hansard, Harris, Harrington, Holmes, Johnson, Layman, Laughlin, Miller of Linn, Mackay, Paulsen, Richardson, Stafford, Swank, Smith, Thompson, Vanderpool—22.

Absent—Messrs. Bowditch, Biggs, Blevins, Crook, Davis, Goodsell, Mitchell, Munger, Summers, Wilson, Mr. Speaker—11.

So the house refused to suspend the rules.

Mr. Paulsen moved to refer senate bill No. 164 to committee on judiciary, with leave to report at any time.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Bowditch, Bilyeu, Blevins, Culver, Daly, Gard, Gubser, Hale, Henry, Hicks, Harrington, Holmes, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Maxwell, Miller of Jackson, McLean, McKenzie, Mackay, Paulsen, Roberts, Stafford, Swank, Smith, Thompson, Taylor, Wilcox—32.

Nays—Messrs. Gay, Holland, Hansard, Harris, Haley, Johnson, Little, Mayer, Miller of Linn, Noyer, McCully, Pomeroy, Palmer, Pendleton, Richardson, Vanderpool, Wilson—17.

Absent—Messrs. Blundell, Biggs, Crook, Crockett, Davis, Goodsell, Mitchell, Munger, Osborn, Summers, Mr. Speaker—11.

So the house refused to refer, and senate bill No. 164 passed to third reading in order.

Mr. Laughlin moved to amend his motion of this morning by saying house bill No. 141 and amendment be printed.

The motion prevailed and change made in the order to the printer.

Mr. C. Lafollett moved to take up house bill No. 152 out of order and put on final passage now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bilyeu, Blevins, Culver, Crockett, Daly, Gard, Gubser, Gay, Holland, Hansard, Hicks, Holmes, Haley, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, McKenzie, Noyer, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Summers, Smith, Thompson, Taylor, Vanderpool, Wilcox—41.

Nays—Messrs. Benjamin, Harris, Harrington, Johnson, Munger, Mackay, McCully, Swank—8.

Absent—Messrs. Blundell, Bowditch, Biggs, Crook, Davis, Goodsell, Hale, Henry, Osborn, Wilson, Mr. Speaker—11.

So house bill No. 152 was read third time.

“Shall the bill pass?”

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Mitchell, McLean, Munger, McKenzie, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Summers, Smith, Taylor, Vanderpool, Wilson, Wilcox—51.

Nays—Mr. Swank—1.

Absent—Messrs. Bowditch, Bilyeu, Biggs, Goodsell, Miller of Linn, Mackay, Thompson, Mr. Speaker—8.

So house bill No. 152 passed and the title of the bill stood for the title of the Act.

Mr. Summers by consent introduced house resolution No. 54, fixing compensation of Clerks, Doorkeepers, Sergeant-at-Arms and Pages.

Mr. Gregg moved to amend so as to increase the compensation of reading Clerk from \$6 00 to \$8 00 per day.

Carried.

Mr. Bilyeu moved to amend by making Doorkeeper and Sergeant-at-Arms \$5 00 per day instead of \$6 00.

As amended, house resolution No. 54 read as follows:

HOUSE RESOLUTION NO. 54.

Resolved, That the compensation of the officers of the house be fixed at the following per diem: Chief Clerk \$10 00, Assistant Clerk \$8 00, Reading Clerk \$8 00, Sergeant-at-Arms \$5 00, Door-keeper \$5 00, Pages (each) \$3 00.

Messrs. Bilyeu and Daly called for the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Bilyeu, Blevins, Culver, Crockett, Davis, Daly, Henry, Hansard, Harris, Harrington, Holmes, Haley, Lockett, Lafollett of Yamhill, Miller of Linn, Munger, McKenzie, Mackay, Osborn, Pomeroy, Pendleton, Richardson, Stafford, Swank, Summers, Smith, Taylor, Vanderpool, Wilson, Wilcox—31.

Nays—Messrs. Blundell, Bowditch, Crook, Gard, Gubser, Gay, Holland, Hale, Hicks, Johnson, Kruse, Lafollett of Marion, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Mitchell, McLean, McCully, Noyer, Palmer, Paulsen, Roberts, Mr. Speaker—26.

Absent—Messrs. Biggs, Goodsell, Thompson—3.

So the resolution was adopted.

MESSAGE FROM THE GOVERNOR.

STATE OF OREGON,
EXECUTIVE DEPARTMENT,
SALEM, February 11, 1887. }

To the Honorable the Speaker of the House:

I am directed by the Governor to inform you that he has signed the following bills:

HOUSE BILL NO 218.

“An Act to amend section 5 of an Act entitled ‘An Act re-districting the State into judicial districts and to provide for the time and place of holding the supreme, circuit and county courts, and to repeal all Acts and parts of Acts in conflict therewith,’ approved October 24, 1882, approved February 2, 1885.”

HOUSE BILL NO. 14.

“An Act prescribing the times and places of holding the terms of the circuit court in the seventh judicial district.”

HOUSE BILL NO. 3.

"An Act to create the county of Wallowa and to fix the salaries of county judge and treasurer thereof."

SENATE BILL NO. 3.

"An Act to incorporate the town of Cottage Grove in Lane county, State of Oregon."

And the same have been filed this day in the office of Secretary of State.

WM. A. MUNLY,
Private Secretary.

Mr. R. A. Miller moved that when the house adjourn this evening it adjourn to meet at 7:30 P. M. for the purpose of considering charter and other local bills.

Carried.

Mr. Mayer moved to adjourn, and the motion failed to carry.

Mr. McCully requested permission to amend house bill No. 132 in line 32 of printed bill:

Opposite Union county strike out \$900 and write \$750.

Leave granted and the change effected.

House bill No. 132 read third time.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bilyeu, Biggs, Blevins, Crook, Culver, Davis, Daly, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Holmes, Haley, Johnson, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Mayer, Maxwell, Miller of Linn, Mitchell, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Richardson, Stafford, Swank, Summers, Smith, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—49.

Nays—Messrs. Gard, Kruse—2.

Absent—Messrs. Bowditch, Crockett, Harrington, Little, Miller of Jackson, McLean, Munger, Roberts, Thompson—9.

So house bill No. 132 passed, and the title of the bill stood for the title of the Act.

House bill No. 133 read third time.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bilyeu, Biggs, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Palmer, Pendleton, Paulsen, Richardson, Stafford, Swank, Summers, Smith, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—53.

Nays—None.

Absent—Messrs. Bowditch, Crook, Mayer, McLean, Pomeroy, Roberts, Thompson—7.

So house bill No. 133 passed and the title of the bill stood for the title of Act.

On Mr. Noyer's motion, the house adjourned.

EVENING SESSION.

House called to order at 7:30 P. M. by the Speaker.

The roll was called and those absent were Messrs. Benjamin, Blundell, Daly, Charles Lafollett, R. A. Miller, Mitchell, McLean, Noyer and Pendleton.

Messrs. McLean, Noyer and Pendleton absent on leave.

Messrs. Munger, Benjamin, McLean, Noyer and Pendleton excused.

House bill No. 149 read third time.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Linn, McKenzie, Mackay, Pomeroy, Palmer, Roberts, Richardson, Stafford, Swank, Smith, Thompson, Taylor, Vanderpool, Wilson, Mr. Speaker—44.

Nays—None.

Absent—Messrs. Benjamin, Blundell, Daly, Lafollett of Marion, Lafollett of Yamhill, Miller of Jackson, Mitchell, McLean, Munger, McCully, Noyer, Osborn, Pendleton, Paulsen, Summers, Wilcox—16.

So house bill No. 149 passed and the title of the bill stood for the title of the Act.

On motion of Mr. Gard, house bill No. 123 was read third time.
"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bowditch, Bilyeu, Biggs, Blevins, Crook, Crockett, Davis, Gard, Goodsell, Gay, Holland, Hale, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Laughlin, Mayer, Maxwell, Miller of Jackson, Mitchell, McKenzie, Mackay, Osborn, Pomeroy, Palmer, Summers, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—35.

Nays—Messrs. Culver, Henry, Hansard, Hicks, Harris, Layman, Miller of Linn, McCully, Richardson, Stafford, Swank, Smith—12.

Absent—Messrs. Benjamin, Blundell, Daly, Gubser, Lafollett of Marion, Lafollett of Yamhill, Little, McLean, Munger, Noyer, Pendleton, Paulsen, Roberts—13.

So house bill No. 123 passed and the title of the bill stood for the title of the Act.

Mr. Goodsell moved to take up senate bill No. 156 and the motion was lost.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 11, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed house bill No. 18, being a bill for an Act to relocate county seat of Yamhill county with amendments, which bill and amendments are herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Mr. Laughlin moved to concur in the amendment.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McKenzie, McCully, Osborn, Pomeroy, Palmer, Paulsen, Richardson, Stafford, Swank, Summers, Smith, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—49.

Nays—None.

Absent—Messrs. Benjamin, Blundell, Daly, Lafollett of Yamhill,

McLean, Munger, Mackay, Noyer, Pendleton, Roberts, Thompson—11.

So senate amendment to house bill No. 18 was passed by the house and amended bill sent to be enrolled.

Mr. Johnson moved to take up house bill No. 45.

Carried.

By unanimous consent, Mr. R. A. Miller was allowed to amend the bill by striking out opposite Jackson county \$500 and inserting \$600, and as amended the bill was read third time.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McKenzie, Mackay, McCully, Osborn, Pomeroy, Palmer, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Taylor, Wilson, Wilcox, Mr. Speaker—49.

Nays—None.

Absent—Messrs. Benjamin, Blundell, Bowditch, Goodsell, Lafollett of Yamhill, McLean, Munger, Noyer, Pendleton, Thompson, Vanderpool—11.

On motion of Mr. Wilson, the house ordered that to-morrow be devoted to consideration of house bills on third reading.

Mr. Thompson moved that the senate be requested to return senate joint resolution No. 15 of this session for reconsideration, as he desired to introduce a bill covering the same ground.

Mr. Mayer raised a point of order, that under house rule 63 no bills could be introduced at this time.

The Chair decided the point well taken.

Mr. Mayer, at the request of Mr. Thompson, withdrew his objections, and by unanimous consent the motion was put and lost.

House bill No. 240 read third time.

Mr. Gay asked permission to insert the word "or" between the words "examination, inquest" at the end of the thirteenth line of printed bill, so as to read "examination or inquest," and permission was granted.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lock-

ett, Lafollett of Marion, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McKenzie, Mackay, McCully, Osborn, Pomeroy, Palmer, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—52.

Nays—None.

Absent—Messrs. Benjamin, Blundell, Bowditch, Lafollett of Yamhill, McLean, Munger, Noyer, Pendleton—8.

So house bill No. 240 passed and the title of the bill stood for the title of the Act.

House bill No. 250 read third time.

“Shall the bill pass?”

On this question the roll was called and the vote was:

Ayes—None.

Nays—Messrs. Bowditch, Bilyeu, Biggs, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Miller of Jackson, Miller of Linn, Mitchell, McKenzie, Mackay, McCully, Osborn, Pomeroy, Palmer, Paulsen, Richardson, Stafford, Swank, Summers, Smith, Taylor, Vanderpool, Wilson, Mr. Speaker—45.

Absent—Messrs. Benjamin, Blundell, Crook, Harris, Lafollett of Yamhill, Little, Mayer, Maxwell, McLean, Munger, Noyer, Pendleton, Roberts, Thompson, Wilcox—15.

So house bill No. 250 failed to pass.

On motion of Mr. Summers, senate bill No. 40 was indefinitely postponed.

On motion of Mr. Richardson, house bill No. 175 was read third time.

“Shall the bill pass?”

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McKenzie, Mackay, McCully, Osborn, Pomeroy, Palmer, Paulsen, Richardson, Stafford, Swank, Summers, Smith, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—49.

Nays—Messrs. Little, Thompson—2.

Absent—Messrs. Benjamin, Blundell, Lafollett of Yamhill, Mayer, McLean, Munger, Noyer, Pendleton, Roberts—9.

So house bill No. 175 passed and the title of the bill stood for the title of the Act.

On motion of Mr. Gubser, senate bill No 156 was read third time.
"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bowditch, Biggs, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McKenzie, Mackay, McCully, Osborn, Pomeroy, Palmer, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—50.

Nays—None.

Absent—Messrs. Benjamin, Blundell, Bilyeu, Crook, Lafollett of Yamhill, McLean, Munger, Noyer, Pendleton, Thompson—10.

So senate bill No. 156 passed.

On motion of Mr. Biggs, senate bill No. 135 was read third time.
"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bowditch, Biggs, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, McKenzie, McCully, Osborn, Palmer, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilcox, Mr. Speaker—48.

Nays—None.

Absent—Messrs. Benjamin, Blundell, Bilyeu, Crook, Lafollett of Yamhill, Mitchell, McLean, Munger, Mackay, Noyer, Pomeroy, Pendleton, Wilson—12.

So senate bill No. 135 passed.

Mr. Wilson was excused for the evening.

On Mr. Wilcox's motion house bill No. 86 was indefinitely postponed.

On the motion of Mr. Lockett, senate bill No. 119 was read third time.

Mr. Daly was excused.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bowditch, Biggs, Blevins, Crook, Culver, Crockett, Davis, Gard, Goodsell, Holland, Hale, Henry, Hansard, Hicks, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lay-

man, Laughlin, Little, Mayer, Maxwell, Miller of Linn, McKenzie, Mackay, McCully, Noyer, Pomeroy, Palmer, Pendleton, Paulsen, Richardson, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilcox, Mr. Speaker—44.

Nays—None.

Absent—Messrs. Benjamin, Blundell, Bilyeu, Daly, Gubser, Gay, Harris, Lafollett of Yamhill, Miller of Jackson, Mitchell, McLean, Munger, Osborn, Roberts, Stafford, Wilson—16.

So senate bill No. 119 passed.

Mr. Mayer moved to take up senate bill No. 164.

Lost.

Mr. Biggs moved to take up senate bill No. 112.

Lost.

On motion of Mr. Hale, the house adjourned.

SATURDAY, FEBRUARY 12, 1887.

MORNING SESSION.

HOUSE OF REPRESENTATIVES,
SALEM, February 12, 1887. }

House called to order at 9:30 A. M., the Speaker in the chair.

Prayer by Rev. J. W. Harris of Salem.

The roll was called and those absent were Messrs. Roberts and Swank.

On motion of Mr. Bilyeu the reading of the journal was dispensed with.

Mr. Mitchell called the attention of the house to the fact that by inadvertence the house had failed to act on the amendment numbered "1" in the journal, and requested action now, and on Mr. Thompson's motion the amendment No. "1" in house journal of February 11, 1887, by Mr. Mitchell to senate bill No. 137 was adopted.

Mr. Noyer moved to take up house bill No. 214 and put on final passage.

Carried.

House bill No. 214 was read third time.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bilyeu, Biggs, Crook, Crockett, Gard, Kruse, Lafollett of Yamhill, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Mitchell, McLean, Munger, McKenzie, Noyer, Pomeroy, Pendleton, Paulsen, Roberts, Stafford, Summers, Smith—24.

Nays—Messrs. Benjamin, Blundell, Bowditch, Blevins, Culver, Davis, Daly, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Lockett, Lafollett of Marion, Layman, Miller of Linn, Mackay, McCully, Osborn, Palmer, Richardson, Swank, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—35.

Absent—Mr. Gubser—1.

So house bill No. 214 failed to pass.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, February 12, 1887. }

Mr. Speaker: Your committee on enrolled bills, to whom was referred house joint resolution No. 11, beg leave to report the same back to the house as correctly enrolled.

JOHN WILSON,
Chairman.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, February 12, 1887. }

Mr. Speaker: Your committee on enrolled bills, to whom was referred house bill No. 87, beg leave to report the same back to the house as correctly enrolled.

JOHN WILSON,
Chairman.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, February 12, 1887. }

Mr. Speaker: Your committee on enrolled bills, to whom was referred house bill No. 248, beg leave to report the same back to the house as correctly enrolled.

JOHN WILSON,
Chairman.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 12, 1887. }

Mr. Speaker: Your committee on enrolled bills, to whom was referred house bill No. 254, beg leave to report the same back to the house as correctly enrolled.

JOHN WILSON,
Chairman.

The Chair announced that he was about to sign house joint resolution No. 11 and house bills Nos. 87, 248 and 254, and subsequently that he had signed them.

Mr. Munger moved to adopt the majority report of the joint committee on Chinese labor offered with house bill No. 156 as printed.

Mr. McLean moved to amend the motion to adopt by saying the minority report.

The Chair stated the question on the amendment.

Mr. Bilyeu raised point of order on the statement of the question for the reason that it destroyed the original motion.

The Chair decided the point not well taken.

The ayes and nays were demanded by Messrs. Bilyeu and Munger.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Goodsell, Gay, Holland, Harris, Holmes, Johnson, Kruse, Lockett, Laughlin, Maxwell, McLean, McCully, Palmer, Swank, Smith, Wilson—17.

Nays—Messrs. Bowditch, Bilyeu, Blevins, Culver, Crockett, Davis, Daly, Gard, Hale, Hansard, Hicks, Harrington, Haley, Lafollett of Marion, Lafollett of Yamhill, Layman, Mayer, Miller of Jackson, Miller of Linn, Mitchell, Munger, McKenzie, Mackay, Noyer, Osborn, Pomeroy, Pendleton, Paulsen, Richardson, Stafford, Summers, Thompson, Taylor, Vanderpool, Wilcox, Mr. Speaker—36.

Absent—Messrs. Blundell, Biggs, Crook, Gubser, Henry, Little, Roberts—7.

So the house refused to adopt the minority report.

Mr. McLean moved to lay the majority report on the table, but the motion failed.

The vote recurred on the original motion to adopt the majority report and the motion prevailed.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 11, 1887. }

Mr. Speaker: 'I am directed by the President to inform you that

the senate has passed senate bill No. 165, being a bill for an Act to re-district the State into senatorial and representative districts.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Mr. Bilyeu moved to suspend the rules and read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—55.

Nays—Messrs. Crook, Little, Stafford—3.

Absent—Messrs. Biggs, Noyer—2.

So the rules were suspended and senate bill No. 165 was read first time by title only and passed to second reading without question.

The hour of 10 o'clock having arrived, Mr. Harrington called up special order vetoed senate bill No. 15.

Mr. Henry moved the subject be postponed till next Monday at 3 P. M.

Lost.

The Chair stated the question to be upon Mr. Harrington's motion that the house now proceed to reconsider senate bill No. 15 as required by the constitution of the State.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Vanderpool, Wilson, Wilcox, Mr. Speaker—54.

Nays—Messrs. Hicks, Lafollett of Marion, McKenzie, Taylor—4.

Absent—Messrs. Biggs, Blevins—2.

So the house voted to proceed to reconsider senate bill No. 15.

On the question, "Shall senate bill No. 15 pass notwithstanding the objections and veto of the Governor?" the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hansard, Harris, Harrington, Holmes, Johnson, Kruse, Lockett, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Wilson, Wilcox, Mr. Speaker—51.

Nays—Messrs. Davis, Hale, Hicks, Haley, Lafollett of Marion, McKenzie, Taylor, Vanderpool—8.

Absent—Mr. Henry—1.

So the house passed senate bill No. 15 notwithstanding the objections and veto of the Governor.

House bill No. 94 read third time.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Mayer, Maxwell, Miller of Linn, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—53.

Nays—None.

Absent—Messrs. Bowditch, Henry, Little, Miller of Jackson, Mitchell, Pomeroy, Summers—7.

So house bill No. 94 passed and the title of the bill stood as the title of the Act.

House bill No. 134 read third time.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Biggs, Culver, Davis, Daly, Gard, Gubser, Goodsell, Gay, Harris, Kruse, Lockett, Lafollett of Marion, Layman, Little, Maxwell, Miller of Linn, Mitchell, McLean, Munger, Palmer, Paulsen, Swank, Taylor, Mr. Speaker—25.

Nays—Messrs. Bowditch, Blevins, Hale, Henry, Hansard, Harrington, Holmes, Haley, Johnson, Lafollett of Yamhill, Laughlin,

Mayer, McKenzie, Noyer, Osborn, Pendleton, Richardson, Stafford, Smith, Vanderpool, Wilson—21.

Absent—Messrs. Blundell, Bilyeu, Crook, Crockett, Holland, Hicks, Miller of Jackson, Mackay, McCully, Pomeroy, Roberts, Summers, Thompson, Wilcox—14.

So house bill No 134 failed to pass.

House bill No. 137 read third time.

“Shall the bill pass?”

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Bilyeu, Blevins, Culver, Daly, Gard, Goodsell, Hale, Hansard, Harris, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Pomeroy, Palmer, Pendleton, Roberts, Swank, Summers, Wilson, Wilcox, Mr. Speaker—35.

Nays—Messrs. Blundell, Davis, Gubser, Hicks, Harrington, Mayer, Miller of Linn, Noyer, Osborn, Paulsen, Richardson, Stafford, Smith, Thompson, Taylor, Vanderpool—16.

Absent—Messrs. Bowditch, Biggs, Crook, Crockett, Gay, Holland, Henry, Maxwell, Miller of Jackson—9.

So house bill No. 137 passed and the title of the bill stood for the title of the Act.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, February 12, 1887. }

Mr. Speaker: I am directed by the President to inform you that senate bill No. 84 has been reported correctly enrolled.

And the same is herewith transmitted to you for your signature.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, February 12, 1887. }

Mr. Speaker: I am directed by the President to inform you that senate joint resolution No. 15 has been reported correctly enrolled.

And the same is herewith transmitted to you for your signature.

E. G. HURSH,
Chief Clerk.

The Chair announced that he was about to sign senate bill No. 84 and senate joint resolution No. 15, and subsequently that he had signed them.

Mr. Daly was excused.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 12, 1887. }

Mr. Speaker: I am directed by the President to inform you that senate bill No. 16 has been reported correctly enrolled.

And the same is herewith transmitted to you for your signature.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 12, 1887. }

Mr. Speaker: I am directed by the President to inform you that senate bill No. 17 has been reported correctly enrolled.

And the same is herewith transmitted to you for your signature.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 12, 1887. }

Mr. Speaker: I am directed by the President to inform you that senate bill No. 151 has been reported correctly enrolled.

And the same is herewith transmitted to you for your signature.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 12, 1887. }

Mr. Speaker: I am directed by the President to inform you that senate bill No. 152 has been reported as correctly enrolled.

And the same is herewith transmitted to you for your signature.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 12, 1887. }

Mr. Speaker: I am directed by the President to inform you that he has signed house bill No. 12.

And the same is herewith transmitted to you.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 12, 1887. }

Mr. Speaker: I am directed by the President to inform you that he has signed house bill No. 87.

And the same is herewith transmitted to you.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 12, 1887. }

Mr. Speaker: I am directed by the President to inform you that he has signed house bill No. 233.

And the same is herewith transmitted to you.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 12, 1887. }

Mr. Speaker: I am directed by the President to inform you that he has signed house bill No. 248.

And the same is herewith transmitted to you.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 12, 1887. }

Mr. Speaker: I am directed by the President to inform you that he has signed house bill No. 254.

And the same is herewith transmitted to you.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 12, 1887. }

Mr. Speaker: I am directed by the President to inform you that he has signed house joint resolution No. 11.

And the same is herewith transmitted to you.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 12, 1887. }

Mr. Speaker: I am directed by the President to inform you that he has signed house joint resolution No. 1 of 1885.

And the same is herewith transmitted to you.

E. G. HURSH,
Chief Clerk.

And house bills Nos. 12, 87, 233, 248 and 254 were ordered enrolled; also house joint resolution No. 11 and house joint resolution No. 1 of 1885.

By consent the committee on public buildings reported as follows:

Mr. Munger explained that he had been unable to be with the committee in their examinations and could only sign the report on their representations and held himself free to oppose any measure of appropriation proposed if in his judgment such should appear to be his duty.

REPORT.

SALEM, OREGON,
February 10, 1887. }

To the Honorable the Speaker of the House and President of the Senate:

Your joint committee on public buildings beg leave to report that

in obedience to house concurrent resolution No. 22 we have visited the public buildings of the State and respectfully recommend:

First—That there be erected at the penitentiary a brick building for laundry, blacksmith and other work; the cost of such building is estimated at \$6,250.

Second—The erection of a brick building at the south end of the main building for a hospital and dining room; the cost of such building and for furnishing the same is estimated at \$10,000.

Third—The purchase of fire hydrants and hose at a cost of \$1,500.

Fourth—A brick machine and other appliances for the brick yard at a cost of \$2,500.

Fifth—A wall or fence of iron or brick for the better protection of the main building; the cost of such wall or fence is estimated at \$4,000 to \$7,000.

For the asylum for insane we recommend:

First—The construction and furnishing of a new wing in order to provide for the rapidly increasing number of patients.

Second—The perfection of the water system, wainscoting the halls and corridors, painting and kalsomining, an addition to laundry and a new furnace for the central building, all at an estimated cost of \$49,250.

For the school for the blind we recommend a new furnace, repairs of and furnishing the building, a provision for the industrial department and a good system of sewerage; these items can be secured at a cost of about \$2,000.

For the State capitol we recommend an appropriation of \$40,000 for furnishing rooms, finishing building, completion of portico, purchase and placement of elevator and for other necessary improvements of the capitol building and grounds.

MERRITT POMEROY,
H. McKENZIE,
W. MUNGER.

Mr. Pomeroy moved the report be referred to committee on ways and means.

Committee on education, with leave to report at any time, made the following

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 11, 1887. }

Mr. Speaker: Your committee on education, to whom was referred house bill No. 62, beg leave to report that they have had the

same under consideration, and would respectfully report it back to the house without recommendation.

J. E. BLUNDELL,
Chairman.

And the bill was considered engrossed and passed to third reading.

By consent, the following report was received:

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 12, 1887. }

Mr. Speaker: Your committee on education, to whom was referred house bill No. 110, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it be amended as follows:

AMENDMENT.

First, in section 3, between the words "appropriation" and "of" insert the words "for the support and maintenance."

And as thus amended report it back without recommendation.

J. E. BLUNDELL,
Chairman.

On motion of Mr. Blundell the amendment was adopted and inserted in the bill at the clerk's desk.

The Chair announced that he was about to sign senate bills Nos. 151, 17, 152 and 16 and subsequently that he had signed them.

By consent, Mr. Summers offered the following

COMMUNICATION.

To the Honorable Legislature of the State of Oregon:

Your memorialist, the G. A. R. of the department of Oregon, most respectfully represent that,

WHEREAS, There are many disabled veterans of the late war for the Union within the limits of our state who are sorely in need of assistance, and who are, from disease and wounds contracted and received in defense of our country, incapable of supporting themselves;

Therefore, your memorialist prays your honorable body to make

suitable provision for the relief of disabled veterans and their maintenance in the home for veterans in the State of California.

And your memorialist will ever pray.

(Signed)

J. E. MAYO,
Chairman Memorialist Committee G. A. R.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 11, 1887. }

Mr. Speaker: Your committee on internal improvements, to whom was referred house bill No. 237, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass.

J. M. STAFFORD,
Chairman.

And the bill was considered engrossed and passed to third reading.

Mr. Summers called to the chair.

House bill No. 145 read third time.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Blevins, Crook, Culver, Gard, Gubser, Gay, Holland, Hale, Henry, Hansard, Hicks, Harrington, Holmes, Haley, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Richardson, Stafford, Swank, Summers, Smith, Taylor, Vanderpool, Wilson, Wilcox—50.

Nays—Mr. Johnson—1.

Absent—Messrs. Biggs, Crockett, Davis, Daly, Goodsell, Harris, Roberts, Thompson, Mr. Speaker—9.

So house bill No. 145 passed and the title of the bill stood as the title of the Act.

Mr. Bilyeu excused.

Messrs. Blundell and Harris excused till Monday, 11 A. M., from noon to-day.

Mr. Noyer from noon to-day till 12 o'clock Monday.

Mr. Thompson excused same.

Mr. Thompson desired the rules suspended to allow him to introduce a bill.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Blevins, Culver, Crockett, Davis, Gard, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Holmes, Haley, Lockett, Lafollett of Yamhill, Laughlin, Little, Miller of Jackson, Miller of Linn, Mitchell, McKenzie, Mackay, Osborn, Palmer, Paulsen, Richardson, Smith, Thompson, Vanderpool, Wilson, Wilcox, Mr. Speaker—35.

Nays—Messrs. Bowditch, Crook, Gubser, Harris, Harrington, Johnson, Kruse, Layman, Mayer, Maxwell, McCully, Noyer, Pomeroy, Pendleton, Roberts, Swank, Taylor—17.

Absent—Messrs. Bilyeu, Biggs, Daly, Lafollett of Marion, McLean, Munger, Stafford, Summers—8.

So the house refused to suspend the rules and receive the bill.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 11, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed senate bill No. 81, being a bill for an Act to declare forfeited swamp and overflowed lands, etc.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Mr. Summers moved to suspend the rules and read senate bill No. 81 first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Blevins, Culver, Crockett, Davis, Gard, Gubser, Goodsell, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Yamhill, Layman, Laughlin, Maxwell, Mitchell, Munger, McKenzie, Mackay, Osborn, Pomeroy, Palmer, Paulsen, Richardson, Swank, Summers, Smith, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—42.

Nays—Messrs. Bowditch, Little, Mayer, Miller of Jackson, Miller of Linn, McCully, Noyer, Pendleton, Roberts, Stafford—10.

Absent—Messrs. Bilyeu, Biggs, Crook, Daly, Gay, Lafollett of Marion, McLean, Thompson—8.

So senate bill No. 81 was under suspension of the rules read first time by title only and passed to second reading without question.

Mr. Benjamin asked permission to introduce a bill, which was refused.

House bill No. 166 was read third time.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Munger, Pomeroy, Stafford—3.

Nays—Messrs. Benjamin, Blundell, Blevins, Crook, Culver, Crockett, Davis, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Johnson, Kruse, Lafollett of Marion, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, McKenzie, Mackay, McCully, Noyer, Osborn, Palmer, Pendleton, Roberts, Richardson, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—49.

Absent—Messrs. Bowditch, Bilyeu, Biggs, Daly, Haley, Lockett, Lafollett of Yamhill, Paulsen—8.

So house bill No. 166 failed to pass.

Mr. Layman excused till Monday noon.

On motion of Mr. Stafford, the house adjourned.

AFTERNOON SESSION.

House called to order at 1:30 P. M., the Speaker in the chair.

The roll was called and those absent were Messrs. Blundell, Bowditch, Bilyeu, Daly, Holland, Hicks, Harris, Johnson, Lafollett of Marion, Lafollett of Yamhill, Layman, Maxwell, Mitchell, McLean, Noyer, Pomeroy and Thompson.

Mr. Layman was absent on leave.

House bill No. 167 read third time.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Yamhill, Laughlin, Little, Mayer, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Smith, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—50.

Nays—None.

Absent—Messrs. Blundell, Daly, Hicks, Harris, Lafollett of Marion, Layman, Maxwell, Noyer, Summers, Thompson—10.

So house bill No. 167 passed and the title of the bill stood for the title of the Act.

Mr. Taylor moved to take up house bill No. 125.

Lost.

Mr. Mackay moved to refer house bill No. 174 to committee on insurance.

Lost.

House bill No. 174 read third time.

After lengthy discussion Mr. Bilyeu moved to refer to committee on insurance with leave to report at any time.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Crook, Culver, Crockett, Davis, Gard, Gubser, Goodsell, Gay, Hale, Henry, Hansard, Hicks, Harrington, Holmes, Haley, Johnson, Kruse, Lafollett of Yamhill, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Osborn, Pomeroy, Palmer, Pendleton, Roberts, Richardson, Swank, Summers, Smith, Vanderpool, Wilson, Wilcox, Mr. Speaker—48.

Nays—Messrs. Blevins, Paulsen, Stafford—3.

Absent—Messrs. Daly, Holland, Harris, Lockett, Lafollett of Marion, Layman, Noyer, Thompson, Taylor—9.

So house bill No. 174 was referred to committee on insurance with leave to report at any time.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, February 12, 1887. }

Mr. Speaker: Your committee on engrossed bills, to whom was referred house bill No. 156, beg leave to report the same back to the house as correctly engrossed.

J. H. ROBERTS,
Chairman.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, February 12, 1887. }

Mr. Speaker: Your committee on engrossed bills, to whom was referred house bill No. 140, beg leave to report the same back to the house as correctly engrossed.

J. H. ROBERTS,
Chairman.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 12, 1887. }

Mr. Speaker: Your committee on engrossed bills, to whom was referred house bill No. 192, beg leave to report the same back to the house as correctly engrossed.

J. H. ROBERTS,
Chairman.

By Mr. Gay, by consent of the house,

HOUSE RESOLUTION NO. 55.

That Miss Coulter be paid for the number of days she was employed in the committee on Indian affairs as clerk of such committee, the same to be certified by the chairman of such committee, and that she be paid for the number of days she was employed in the committee on engrossed bills as one of the clerks of said committee, the same to be certified by the chairman of such committee.

Adopted, on motion of Mr. Gay.

House bill No. 177 read third time.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Gard, Gubser, Goodsell, Gay, Hale, Henry, Hansard, Hicks, Harrington, Holmes, Haley, Johnson, Kruse, Lafollett of Yamhill, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, McKenzie, Mackay, McCully, Osborn, Palmer, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Taylor, Vanderpool, Wilson, Mr. Speaker—47.

Nays—None.

Absent—Messrs. Blundell, Daly, Holland, Harris, Lockett, Lafollett of Marion, Layman, Munger, Noyer, Pomeroy, Pendleton, Thompson, Wilcox—13.

So house bill No. 177 passed and the title of the bill stood for the title of the Act.

House bill No. 235 was read third time.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bilyeu, Biggs, Blevins, Goodsell, Hale, Henry, Haley, Miller of Linn, Munger, Osborn, Paulsen, Stafford, Summers—13.

Nays—Messrs. Benjamin, Bowditch, Crook, Culver, Crockett, Davis, Gard, Gubser, Gay, Holland, Hansard, Hicks, Harrington, Holmes, Johnson, Kruse, Lockett, Lafollett of Yamhill, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Mitchell, McLean, McKenzie, McCully, Pomeroy, Palmer, Pendleton, Roberts, Richardson, Swank, Smith, Taylor, Vanderpool, Wilson, Mr. Speaker—38.

Absent—Messrs. Blundell, Daly, Harris, Lafollett of Marion, Layman, Mackay, Noyer, Thompson, Wilcox—9.

So house bill No. 235 failed to pass, with Messrs. Goodsell and Summers voting aye out of respect for the absent sponsor of the bill.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 12, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has adopted senate concurrent resolution No. 11, returning thanks to A. P. Gorman.

And the same are herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

On motion of Mr. Goodsell, the resolution was concurred in.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 12, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed senate bill No. 168, being a bill for an Act to protect public highways.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Senate bill No. 168 was read first time and passed to second reading without question.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 12, 1887. }

Mr. Speaker: Your committee on engrossed bills, to whom was

referred house bill No. 241, beg leave to report the same back to the house as correctly engrossed.

J. H. ROBERTS,
Chairman.

And the bill took its place on third reading.

Mr. A. M. Lafollett excused till 9 A. M.

House bill No. 238 read third time.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Bowditch, Bilyeu, Biggs, Blevins, Culver, Crockett, Davis, Gard, Gubser, Gay, Holland, Hale, Henry, Hansard, Hicks, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Yamhill, Laughlin, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Richardson, Swank, Summers, Smith, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—48.

Nays—None.

Absent—Messrs. Blundell, Crook, Daly, Goodsell, Harris, Lafollett of Marion, Layman, Little, Noyer, Roberts, Stafford, Thompson—12.

So house bill No. 238 passed and the title of the bill stood for the title of the Act.

House bill No. 193 read third time.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bowditch, Biggs, Blevins, Culver, Crockett, Gard, Gay, Hale, Henry, Hansard, Johnson, Kruse, Lockett, Lafollett of Yamhill, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, McLean, Munger, McKenzie, Pendleton, Roberts, Richardson, Stafford, Smith, Taylor, Wilcox, Mr. Speaker—30.

Nays—Messrs. Benjamin, Bilyeu, Gubser, Goodsell, Hicks, Harrington, Holmes, Haley, Miller of Linn, Mitchell, Osborn, Palmer, Paulsen, Swank, Summers, Vanderpool—16.

Absent—Messrs. Blundell, Crook, Davis, Daly, Holland, Harris, Lafollett of Marion, Layman, Mackay, McCully, Noyer, Pomeroy, Thompson—13.

Excused—Mr. Wilson—1.

So house bill No. 193 failed to pass.

Mr. Wilson excused from voting.

On motion of Mr. Hicks, a committee of three consisting of Messrs. Hicks, Noyer and Holland were appointed special committee on mileage.

House bill No. 233 was read third time, and on the question, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Bowditch, Bilyeu, Culver, Davis, Gard, Gubser, Hicks, Holmes, Kruse, Laughlin, Little, Maxwell, Miller of Jackson, Mitchell, McLean, McKenzie, Mackay, McCully, Palmer, Stafford, Summers, Smith, Mr. Speaker—25.

Nays—Messrs. Blevins, Gay, Henry, Hansard, Johnson, Lafollett of Yamhill, Mayer, Miller of Linn, Pendleton, Roberts, Richardson, Swank, Taylor—13.

Absent—Messrs. Blundell, Biggs, Crook, Crockett, Daly, Goodsell, Holland, Harris, Harrington, Haley, Lockett, Lafollett of Marion, Layman, Munger, Noyer, Osborn, Pomeroy, Paulsen, Thompson, Vanderpool, Wilson, Wilcox—22.

No quorum responding, a call of the house was ordered.

Those absent were Messrs. Blundell, Biggs, Crook, Crockett, Daly, Goodsell, Holland, Harris, Harrington, Lockett, Lafollett of Marion, Layman, Noyer, Osborn, Paulsen, Thompson, Taylor, Vanderpool—18.

Excused—Messrs. Blundell, Harris, Lafollett of Marion, Layman, Noyer and Thompson.

On motion of Mr. R. A. Miller, further proceedings under call of the house were dispensed with.

On the passage of house bill No. 223 the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Bowditch, Bilyeu, Biggs, Culver, Davis, Gard, Gubser, Hale, Hicks, Harrington, Holmes, Haley, Kruse, Lafollett of Yamhill, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Stafford, Summers, Smith, Vanderpool, Wilson, Wilcox, Mr. Speaker—39.

Nays—Messrs. Blevins, Gay, Henry, Hansard, Johnson, Roberts, Richardson, Swank—8.

Absent—Messrs. Blundell, Crook, Crockett, Daly, Goodsell, Holland, Harris, Lockett, Lafollett of Marion, Layman, Noyer, Thompson, Taylor—13.

So house bill No. 233 passed and the title of the bill stood for the title of the Act.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 12, 1887. }

Mr. Speaker: I am directed by the President to inform you that

the senate has passed house bill No. 149, being a bill for an Act to define the boundary line between Yamhill and Tillamook counties.

And the same is herewith transmitted to you for enrollment.

E. G. HURSH,
Chief Clerk.

And the bill was ordered enrolled.

By unanimous consent, the special committee on State board of agriculture submitted the following

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, February 12, 1887. }

Mr. Speaker: Your joint committee to examine the books and papers of the Oregon State board of agriculture beg leave to report that we have had the same under consideration, and have carefully examined the expenditure of the money appropriated by the State for the purposes and uses of said board. We find that in the past two years there has been paid as premiums upon the exhibitions of the stock interests of the State, the agricultural interests, the mechanical interests and of the other material interests of Oregon the sum of \$8,884 05, and that there is in the treasury a balance of the sum appropriated—the sum of \$1,115 95.

We examined carefully the method adopted by the board of awarding the premiums paid by said board upon the above named exhibitions, and find that the people of the entire State were fully represented in making said awards.

We also find that the money appropriated and paid out by said board as premiums has been distributed throughout the entire State, and that the stock-growing, the agricultural, the mechanical and art interests of the State have been greatly benefited by the small expenditure which Oregon has made to this board.

We find that none of the money appropriated has been used in any manner whatever as premiums for trials of speed nor in any way has been used to aid the speed department of the State fair. We also have ascertained that the speed department is separate and distinct from the other departments of the State fair, and that said speed department has yielded to the board over and above all the expenses of said department a net sum of \$1,900, which has been added to and made a part of the net proceeds of the last two State fairs held under the management of the board.

We also find that this board has conducted the last two State fairs so profitably and successfully that there has been a net profit over and above all expenses the sum of \$11,357 33, and that out of this

sum the board has paid upon the debts of the Oregon State Agricultural Society, which conducted the State fairs of this State from 1861 to 1884, the sum of \$10,160.

This board has conducted the two State fairs last held judiciously, economically and profitably, and we are fully satisfied that no expenditure of the State has been more beneficial to the material interests of the State than the appropriation of the sum which was made by the legislature in 1885 for the benefit of this board.

We therefore heartily recommend a continuation of said appropriation for at least two years longer.

Respectfully submitted,

F. D. McCULLY,

Chairman on the part of the House.

On motion of Mr. Miller, the report was adopted.

The Speaker called Mr. R. A. Miller to the chair.

House bill No. 215 read third time.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Gard, Gay, Holland, Henry, Hansard, Hicks, Harrington, Johnson, Lafollett of Yamhill, Laughlin, Little, Miller of Jackson, Miller of Linn, Osborn, Pendleton, Paulsen, Stafford, Swank, Smith, Wilcox, Mr. Speaker—28.

Nays—Messrs. Benjamin, Bowditch, Gubser, Goodsell, Hale, Holmes, Haley, Kruse, Lockett, Mayer, Maxwell, Mitchell, McLean, Munger, McKenzie, Mackay, Pomeroy, Palmer, Roberts, Richardson, Taylor, Vanderpool, Wilson—23.

Absent—Messrs. Blundell, Daly, Harris, Lafollett of Marion, Layman, McCully, Noyer, Summers, Thompson—9.

So house bill No. 215 failed to pass.

House bill No. 83 read third time.

"Shall the bill pass?"

It was liberally discussed.

Mr. Munger moved the previous question.

Shall the main question be now put?

Carried.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blevins, Crockett, Hale, Henry, Hansard, Haley, Johnson, Lafollett of Yamhill, Laughlin, Little, Miller of Jackson, Miller of Linn, McKenzie, Palmer, Richardson, Stafford, Swank, Smith, Taylor, Vanderpool, Wilcox—22.

Nays—Messrs. Bowditch, Bilyeu, Biggs, Crook, Culver, Davis,

Gard, Gubser, Gay, Holland, Hicks, Harrington, Holmes, Kruse, Lockett, Mayer, Maxwell, Mitchell, McLean, Munger, McCully, Osborn, Pomeroy, Pendleton, Paulsen, Roberts, Summers, Wilson, Mr. Speaker—29.

Absent—Messrs. Blundell, Daly, Goodsell, Harris, Lafollett of Marion, Layman, Mackay, Noyer, Thompson—9.

So house bill No. 83 failed to pass.

Speaker took the chair.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 12, 1887. }

Mr. Speaker: Your committee on enrolled bills, to whom was referred house bill No. 109, beg leave to report the same back to the house as correctly enrolled.

JOHN WILSON,
Chairman.

The Chair announced that he was about to sign house bill No. 109, and subsequently that he had signed it.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 12, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed house bill No. 123, being a bill for an Act to fix the salary of the superintendent of the Oregon State penitentiary.

And the same is herewith transmitted for enrollment.

E. G. HURSH,
Chief Clerk.

And the bill was ordered enrolled.

House bill No. 161 read third time.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Bowditch, Blevins, Crook, Culver, Crockett, Davis, Gard, Gubser, Hale, Henry, Hansard, Hicks, Harrington, Holmes, Johnson, Kruse, Lockett, Lafollett of Yamhill, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, McLean, Munger, McKenzie, Mackay, McCully, Osborn, Pomeroy, Palmer,

Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Taylor, Wilson, Wilcox, Mr. Speaker—45.

Nays—Messrs. Biggs, Haley—2.

Absent—Messrs. Blundell, Bilyeu, Daly, Goodsell, Gay, Holland, Harris, Lafollett of Marion, Layman, Mitchell, Noyer, Thompson, Vanderpool—13.

So house bill No. 161 passed and the title of the bill stood for the title of the Act.

Mr. Mitchell moved to reconsider the vote by which the house agreed to adjourn to 7:30 P. M.

Messrs. Mayer and Smith demanded the ayes and nays.

The roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Bowditch, Bilyeu, Blevins, Crook, Crockett, Davis, Gard, Hale, Henry, Hansard, Holmes, Haley, Johnson, Kruse, Lockett, Maxwell, Miller of Linn, Mitchell, McLean, McKenzie, Mackay, Osborn, Swank, Summers, Smith, Vanderpool, Wilcox, Mr. Speaker—29.

Nays—Messrs. Biggs, Culver, Gubser, Goodsell, Gay, Hicks, Harrington, Laughlin, Little, Mayer, Miller of Jackson, Munger, McCully, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Taylor, Wilson—22.

Absent—Messrs. Blundell, Daly, Holland, Harris, Lafollett of Marion, Lafollett of Yamhill, Layman, Noyer, Thompson—9.

So the vote was reconsidered.

The question, Will the house when it adjourns adjourn to meet at 7:30 P. M.? was again put.

The nays were tumultuous, and the Speaker announced the motion to meet at 7:30 P. M. lost.

On motion of Mr. Bilyeu, the house adjourned.

MONDAY, FEBRUARY 14, 1887.

MORNING SESSION.

HOUSE OF REPRESENTATIVES, }
SALEM, February 14, 1887. }

House called to order at 9:30 A. M., the Speaker in the chair.

The roll was called and those absent were Messrs. Blundell, Daly, Goodsell, Harris, Holmes, Charles Lafollett, Mayer, Noyer, Osborn, Paulsen and Thompson.

On motion of Mr. Benjamin, the reading of the journal was dispensed with.

By consent, Mr. Summers introduced and moved the adoption of

HOUSE RESOLUTION NO. 56.

Resolved by the House:

That no member be allowed to speak more than once on any bill, motion or subject, and for a period not longer than five minutes unless by unanimous consent.

Mr. Taylor offered to amend by striking out the words "than once" and "and for a period not longer."

Mr. Summers accepted the amendment.

As amended house resolution No. 56 was adopted.

Mr. Benjamin, by consent, offered

HOUSE RESOLUTION NO. 57.

Resolved by the House:

That house resolution No. 54 be amended to read, "The Sergeant-at-Arms shall receive six dollars per diem for his services."

Mr. Bilyeu rose to point of order that a resolution could not be amended after adoption.

The Chair sustained the point.

Mr. McCully moved to adopt the amendments to house bill No. 141 offered by the committee on corporations February 10th in January 11th be adopted.

Carried.

Mr. Benjamin moved for reconsideration of house resolution No. 54.

Lost.

By unanimous consent, the special committee on the school for the blind submitted the following

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, February 14, 1887. }

To the Honorable the Speaker of the House and President of the Senate:

Your committee who were appointed in accordance with house concurrent resolution No. 23, to visit and report on the condition of the school for the blind, most respectfully submit the following report:

That we have visited said school and investigated its management and condition, and find that the building and all rooms are kept in a neat and orderly manner, but to insure the necessary sanitary condition there should be provided an adequate system of sewerage, a furnace for heating the building and some changes should be made in the interior arrangement.

We find that the officers are entitled to credit for the general management and efficiency of the school, and that the pupils are making rapid progress in their studies and in music.

We believe that the State is only fulfilling a duty it owes to these unfortunates in providing an institution in which they may obtain a common school education and we fully endorse the remarks and recommendations of the Superintendent of Public Instruction on pages 81 to 88 in his report for the year 1886.

We recommend that the sum of two thousand dollars be appropriated for constructing a sewer, for necessary interior changes, repairs, furnishing, and for the industrial department.

J. W. MAXWELL,
Chairman.

On the motion of Mr. Johnson, the report of the committee on the school for the blind was adopted.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, February 12, 1887. }

Mr. Speaker: Your committee on enrolled bills, to whom was referred house bill No. 18, beg leave to report the same back to the house as correctly enrolled.

JOHN WILSON,
Chairman.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, February 14, 1887. }

Mr. Speaker: Your committee on enrolled bills, to whom was referred house bill No. 149, beg leave to report the same back to the house as correctly enrolled.

JOHN WILSON,
Chairman.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 14, 1887. }

Mr. Speaker: Your committee on enrolled bills, to whom was referred house bill No. 123, beg leave to report the same back to the house as correctly enrolled.

JOHN WILSON,
Chairman.

The Chair announced that he was about to sign house bills Nos. 149, 123 and 18 and subsequently that he had signed them.

House bill No. 43 read third time.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Biggs, Blevins, Crook, Davis, Gard, Gubser, Gay, Holland, Hale, Henry, Hicks, Harrington, Haley, Kruse, Lockett, Lafollett of Yamhill, Layman, Little, Mayer, Maxwell, Miller of Jackson, McLean, Munger, McKenzie, Mackay, McCully, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Vanderpool, Wilson, Wilcox, Mr. Speaker—41.

Nays—Messrs. Bowditch, Culver, Hansard, Miller of Linn, Mitchell, Taylor—6.

Absent—Messrs. Blundell, Bilyeu, Crockett, Daly, Goodsell, Harris, Holmes, Johnson, Lafollett of Marion, Laughlin, Noyer, Osborn, Thompson—13.

So house bill No. 43 passed and the title of the bill stood for the title of the Act.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 12, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed senate bill No. 166, being a bill for an Act to create and establish a board of railroad commissioners and to define and regulate its powers and to fix the compensation of its members.

And the same is herewith transmitted for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Mr. Bilyeu moved to suspend the rules and read senate bill No. 166 first time by title only.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Benjamin, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Davis, Gard, Gubser, Gay, Holland, Hale, Henry, Hansard, Hicks, Harrington, Haley, Johnson, Kruse, Lockett, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Linn, Mitchell, Munger, McKenzie, Mackay, McCully, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—48.

Nays—None.

Absent—Messrs. Blundell, Crockett, Daly, Goodsell, Harris, Holmes, Lafollett of Marion, Miller of Jackson, McLean, Noyer, Osborn, Thompson—12.

So the rules were suspended and senate bill No. 166 read first time by title only.

Mr. Biggs moved to further suspend the rules and read senate bill No. 166 second time by title now.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Benjamin, Bowditch Bilyeu, Biggs, Blevins, Crook, Culver, Gard, Gubser, Gay, Holland, Hale, Henry, Hansard, Hicks, Harrington, Haley, Johnson, Kruse, Lockett, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Linn, Mitchell, Munger, McKenzie, Mackay, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—46.

Nays—None.

Absent—Messrs. Blundell, Crockett, Davis, Daly, Goodsell, Harris, Holmes, Lafollett of Marion, Miller of Jackson, McLean, McCully, Noyer, Osborn, Thompson—14.

So senate bill No. 166 was read second time by title only and passed to third reading.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 12, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed house bill No. 13, being a bill for an Act to amend section 14, title 1, chapter 28, criminal laws of Oregon, 1874, as amended October 17, 1871, relating to selling and giving liquors to minors.

And the same is herewith transmitted to you for enrollment.

E. G. HURSH,
Chief Clerk.

And the bill was ordered engrossed.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 12, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has ordered the return from the house of house bill No. 40, being a bill for an Act creating the county of Lee, and fixing the salary for the county judge and treasurer, for the further consideration of the senate.

E. G. HURSH,
Chief Clerk.

On motion of Mr. Crockett, the house ordered house bill No. 40 to be returned to the senate.

Mr. McLean excused till 11 o'clock A. M.

House bill No. 95 was read third time.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blevins, Davis, Henry, Hansard, Harrington, Laughlin, Miller of Linn, Mitchell, Munger, Mackay, Pendleton, Stafford, Swank, Wilson, Wilcox, Mr. Speaker—17.

Nays—Messrs. Bowditch, Bilyeu, Biggs, Crook, Culver, Crockett, Gard, Gubser, Gay, Holland, Hale, Hicks, Haley, Kruse, Lockett, Lafollett of Yamhill, Layman, Little, Mayer, Maxwell, Miller of Jackson, McKenzie, McCully, Pomeroy, Palmer, Paulsen, Roberts, Richardson, Smith, Taylor, Vanderpool—31.

Absent—Messrs. Blundell, Daly, Goodsell, Harris, Holmes, Johnson, Lafollett of Marion, McLean, Noyer, Osborn, Summers, Thompson—12.

So house bill No. 95 failed to pass.

House bill No. 96 was read third time.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Gard, Gubser, Gay, Holland, Hale, Henry, Hansard, Hicks, Harrington, Haley, Kruse, Lockett, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, Munger, McKenzie, Mackay, McCully, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—49.

Nays—None.

Absent—Messrs. Blundell, Daly, Goodsell, Harris, Holmes, Johnson, Lafollett of Marion, McLean, Noyer, Osborn, Thompson—11.

So house bill No. 96 passed and the title of the bill stood for the title of Act.

House bill No. 88 read third time.

“Shall the bill pass?”

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Bowditch, Bilyeu, Biggs, Blevins, Culver, Crockett, Davis, Gard, Gubser, Gay, Hale, Henry, Hicks, Harrington, Haley, Kruse, Lockett, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Miller of Jackson, Miller of Linn, Mitchell, Munger, McKenzie, Mackay, Pomeroy, Palmer, Pendleton, Roberts, Richardson, Stafford, Swank, Summers, Smith, Vanderpool, Wilson, Mr. Speaker—41.

Nays—Messrs. Crook, Holland, Hansard, Maxwell, McCully, Paulsen, Taylor, Wilcox—8.

Absent—Messrs. Blundell, Daly, Goodsell, Harris, Holmes, Johnson, Lafollett of Marion, McLean, Noyer, Osborn, Thompson—11.

So house bill No. 88 passed and the title of the bill stood for the title of the Act.

House bill No. 163 read third time.

“Shall the bill pass?”

Mr. Bilyeu moved to postpone till 2 P. M. this day.

Mr. Benjamin moved to make a special order of house bill No. 163 for 7:30 P. M., as an amendment to the motion of Mr. Bilyeu.

Mr. Davis moved to amend the amendment by making the bill a special order for 10 A. M. to-morrow.

The amendment of Mr. Davis prevailed.

The motion as amended prevailed and the house made special order for 10 A. M. to-morrow of house bill No. 163.

House bill No. 116 was read third time.

“Shall the bill pass?”

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Gard, Gubser, Gay, Holland, Hale, Henry, Hansard, Hicks, Harrington, Haley, Kruse, Lockett, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, Munger, McKenzie, Mackay, McCully, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—49.

Nays—None.

Absent—Messrs. Blundell, Daly, Goodsell, Harris, Holmes, Johnson, Lafollett of Marion, McLean, Noyer, Osborn, Thompson—11.

So house bill No. 116 passed and the title of the bill stood for the title of the Act.

House bill No. 115 was read third time.

“Shall the bill pass?”

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Haley, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Vanderpool, Wilson, Wilcox, Mr. Speaker—54.

Nays—None.

Absent—Messrs. Goodsell, Harrington, Holmes, Johnson, Osborn, Taylor—6.

So house bill No. 115 passed and the title of the bill stood for the title of the Act.

House bill No. 138 was read third time.

“Shall the bill pass?”

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blundell, Bilyeu, Biggs, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Haley, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Summers, Thompson, Vanderpool, Wilson, Wilcox, Mr. Speaker—48.

Nays—Messrs. Benjamin, Bowditch, Crook, Little, Swank, Smith—6.

Absent—Messrs. Goodsell, Holmes, Johnson, Lafollett of Yamhill, Osborn, Taylor—6.

So house bill No. 138 passed and the title of the bill stood for the title of the Act.

House bill No. 150 read third time.

“Shall the bill pass?”

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bilyeu, Crook, Harris, Maxwell, Mitchell, Munger, Noyer, Palmer, Mr. Speaker—9.

Nays—Messrs. Benjamin, Blundell, Biggs, Blevins, Culver, Crockett, Daly, Gard, Gubser, Gay, Holland, Hale, Henry, Hansard, Hicks, Harrington, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Miller of Jackson, Miller of Linn, McLean, McKenzie, Mackay, McCully, Pomeroy, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox—43.

Absent—Messrs. Bowditch, Davis, Goodsell, Holmes, Haley, Mayer, Osborn, Summers—8.

So house bill No. 150 failed to pass.

House bill No. 170 read third time.

“Shall the bill pass?”

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blundell, Bowditch, Bilyeu, Crook, Culver, Davis, Daly, Gard, Gubser, Gay, Holland, Hale, Henry, Hansard, Hicks, Harrington, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, McKenzie, Mackay, McCully, Noyer, Pomeroy, Palmer, Pendleton, Paulsen, Richardson, Stafford, Summers, Smith, Wilson, Wilcox, Mr. Speaker—46.

Nays—Messrs. Benjamin, Crockett, Thompson, Taylor—4.

Absent—Messrs. Biggs, Blevins, Goodsell, Harris, Holmes, Munger, Osborn, Roberts, Swank, Vanderpool—10.

So house bill No. 170 passed, and the title of the bill stood for the title of the Act.

House bill No. 124 read third time.

“Shall the bill pass?”

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bilyeu, Blevins, Crook, Davis, Gubser, Hale, Henry, Harris, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Mitchell, McLean, McKenzie, Mackay, McCully, Noyer, Pomeroy, Palmer, Pendleton, Paulsen, Stafford, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Mr. Speaker—39.

Nays—Messrs. Culver, Hansard, Hicks, Miller of Linn, Munger, Richardson, Swank—7.

Absent—Messrs. Bowditch, Biggs, Crockett, Daly, Gard, Goodsell, Gay, Holland, Harrington, Holmes, Osborn, Roberts, Wilcox—14.

So house bill No. 124 passed and the title of the bill stood for the title of the Act.

House bill No. 139 read third time.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blundell, Bowditch, Biggs, Culver, Davis, Daly, Gay, Holland, Henry, Hansard, Hicks, Harris, Harrington, Haley, Johnson, Lafollett of Yamhill, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, Munger, Mackay, McCully, Palmer, Summers, Taylor, Wilson, Wilcox, Mr. Speaker—30.

Nays—Messrs. Benjamin, Bilyeu, Blevins, Crockett, Gard, Gubser, Lockett, Hale, Kruse, Lafollett of Marion, Layman, Laughlin, Little, McKenzie, Noyer, Pomeroy, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Smith, Thompson, Vanderpool—25.

Absent—Messrs. Crook, Goodsell, Holmes, McLean, Osborn—5.

So house bill No. 39 failed to pass.

On motion of Mr. Culver, house bill No. 92 was indefinitely postponed.

Mr. Bilyeu introduced

HOUSE CONCURRENT RESOLUTION NO. 24.

Resolved by the House, the Senate concurring:

That the time for final adjournment of the fourteenth biennial session of the legislative assembly of Oregon be fixed for adjournment *sine die* at ten (10) o'clock P. M. on Friday, February 18, 1887.

Which, on motion of Mr. Bilyeu, was adopted.

Mr. Noyer moved to adjourn, and the motion prevailed.

Mr. Harrington called to the chair.

House bill No. 228 indefinitely postponed on motion of Mr. Munger.

Mr. Gregg moved that when the house adjourn this afternoon it shall adjourn to meet at 7:30 P. M. this day to consider bills relating to education.

Carried.

On motion of Mr. Summers, the house adjourned.

AFTERNOON SESSION.

House called to order at 1:30 P. M., the Speaker in the chair.

The roll was called and those absent were Messrs. Goodsell, Chas. Lafollett, Munger, McCully, Noyer and Pomeroy.

On motion of Mr. Laughlin, house bill No. 198 was read third time.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bilyeu, Biggs, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—55.

Nays—None.

Absent—Messrs. Bowditch, Crook, Goodsell, Haley, Roberts—5.

So house bill No. 198 passed and the title of the bill stood for the title of the Act.

On motion of Mr. Blundell, house bill No. 59 was re-referred to committee on education for report after amendment at this evening session.

On motion of Mr. Roberts, Rev. A. McLean of Colorado was invited to a seat within the bar.

House bill No. 82 read third time.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Gay, Holland, Hale, Henry, Hansard, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—54.

Nays—None.

Absent—Messrs. Goodsell, Hicks, Harris, Little, McLean, Summers—6.

So house bill No. 82 passed and the title of the bill stood for the title of the Act.

House bill No. 155 was read third time.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Gay, Hale, Henry, Hansard, Hicks, Harris, Harrington, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—53.

Nays—None.

Absent—Messrs. Bowditch, Goodsell, Holland, Holmes, Lafollett of Yamhill, Little, Noyer—7.

So house bill No. 155 passed, and the title of the bill stood for the title of the Act.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 14, 1887. }

Mr. Speaker: Your committee on enrolled bills, to whom was referred house bill No. 13, beg leave to report the same back to the house as correctly enrolled.

JOHN WILSON,
Chairman.

The Chair announced that he was about to sign house bill No. 13, and subsequently that he had signed it.

Hon. T. T. Geer was invited within the bar on motion of Mr. A. M. Lafollett.

Mr. McLean moved the adoption of amendments to house bill No. 244, submitted February 11th by public lands committee.

The motion was sustained.

On motion of Mr. Bowditch, the following amendment to house bill No. 244 was also adopted.

AMENDMENT.

Add to section 2 of house bill 244 the following:

“Nor shall this section apply to any legal applicant under the Act of October 26, 1870, who has paid the 20 per cent. of the purchase price and who may have been prevented by litigation about rights of way or other reclamation works from completing reclamation within ten years. And any such applicant shall be entitled to perfect title without further reclamation upon payment of the remaining 80 per cent. before January 1, 1889.”

Mr. Summers moved to take up senate bill No. 81.

Carried.

Mr. R. A. Miller objected to the decision, and the Chair stated that while he considered the decision correct, he did not wish to give any appearance of being arbitrary, and therefore ordered the roll call on suspension of the rules to read senate bill No. 81 second time.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bilyeu, Biggs, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Holland, Hale, Henry, Hansard, Hicks, Harrington, Holmes, Haley, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Linn, Munger, McKenzie, Mackay, Noyer, Osborn, Pomeroy, Pendleton, Paulsen, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—48.

Nays—Messrs. Bowditch, Crook, Harris, Johnson, Miller of Jackson, Mitchell, McLean, McCully, Palmer, Roberts—10.

Absent—Messrs. Goodsell, Gay—2.

So the rules were suspended and senate bill No. 81 was read second time.

Mr. Summers moved the rules be further suspended and senate bill No. 81 be read third time and put on final passage now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blundell, Bilyeu, Biggs, Blevins, Culver, Davis, Daly, Gubser, Gay, Hale, Henry, Hansard, Hicks, Harrington, Holmes, Haley, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Linn, Munger, McKenzie, Mackay, Noyer, Osborn, Pomeroy, Pendleton, Paulsen, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilcox, Mr. Speaker—44.

Nays—Messrs. Benjamin, Bowditch, Crook, Crockett, Gard, Holland, Harris, Johnson, Miller of Jackson, Mitchell, McLean, McCully, Palmer, Roberts, Wilson—15.

Absent—Mr. Goodsell—1.

So the rules were suspended and senate bill No. 81 read third time.

“Shall the bill pass?”

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Gay, Holland, Hale,

Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Miller of Jackson, Miller of Linn, Mitchell, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Wilson, Wilcox, Vanderpool, Mr. Speaker—56.

Nays—None.

Absent—Messrs. Crook, Goodsell, Maxwell, McLean—4.

So senate bill No. 81 passed.

Immediately preceding the taking of the final vote on senate bill No. 81 Mr. McLean rose in his seat and desired to be put on record as protesting against the passage of the bill, claiming that its provisions would not stand the test of the courts and would fail of settling the vexed swamp land question.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 14, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has had house bill No. 40 under consideration, after the reconsideration of the first vote upon said bill, and the same has again failed to pass.

And the same is herewith transmitted to you.

E. G. HURSH,
Chief Clerk.

House bill No. 114 was read third time.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Gard, Gubser, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Wilson, Wilcox, Mr. Speaker—53.

Nays—Mr. Johnson—1.

Absent—Messrs. Davis, Daly, Goodsell, Lafollett of Yamhill, Munger, Vanderpool—6.

So house bill No. 114 passed and the title of the bill stood for the title of the Act.

House bill No. 91 was read third time.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Hailey, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Mayer, Maxwell, Miller of Jackson, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Vanderpool, Wilson, Wilcox, Mr. Speaker—55.

Nays—Messrs. Miller of Linn, Taylor—2.

Absent—Messrs. Goodsell, Little, Pomeroy—3.

So house bill No. 91 passed and the title of the bill stood for the title of the Act.

Committee on insurance with leave to report at any time made the following

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, February 14, 1887. }

Mr. Speaker: Your joint committee on insurance, to whom was referred house bill No. 174, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house without recommendation.

W. MUNGER,
Chairman *pro tem*.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, February 14, 1887. }

Mr. Speaker: We, your special committee appointed with the right to report at any time, respectfully request to report house bill No. 243 back with recommendation that it do pass.

P. S. NOYER,
D. J. PENDLETON,
F. N. LITTLE,
Committee.

House bill No. 67 was read third time.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Bowditch, Crook, Culver, Crockett, Gard, Gay, Holland, Hicks, Harris, Johnson, Kruse, Lockett, Little, Maxwell, Mitchell, McLean, McCully, Noyer, Pendleton, Roberts, Summers, Taylor, Wilson, Mr. Speaker—25.

Nays—Messrs. Bilyeu, Blevins, Daly, Gubser, Hale, Henry, Hansard, Harrington, Holmes, Haley, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Mayer, Miller of Linn, Munger, McKenzie, Mackay, Osborn, Palmer, Paulsen, Richardson, Stafford, Swank, Smith, Thompson, Vanderpool, Wilcox—30.

Absent—Messrs. Blundell, Biggs, Davis, Goodsell, Miller of Jackson, Pomeroy—5.

So house bill No. 67 failed to pass.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 14, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed house bill No. 186, being a bill for an Act to define the southern boundary of Linn county, with the accompanying amendments.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

AMENDMENT.

Strike out the words "Beginning on the east bank of the Willamette river where the same is intersected by the south line of section 3, township 16 south, range 4 west," in line 3 of section 25 and insert the following: "Beginning at a point in the middle of the main channel of the Willamette river due west from where the south line of section 3, township 16 south, range 4 west, intersects said river."

Mr. Thompson moved to concur in the senate amendment to house bill No. 186.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Bowditch, Bilyeu, Blevins, Culver, Crockett, Daly, Gard, Gubser, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little,

Maxwell, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Wilson, Wilcox, Mr. Speaker—51.

Nays—None.

Absent—Messrs. Blundell, Biggs, Crook, Davis, Goodsell, Mayer, Miller of Jackson, Pomeroy, Vanderpool—9.

So the senate amendment to house bill No. 186 was adopted and the bill ordered enrolled.

The Chair here read a telegram from Hon. B. Hermann acknowledging courtesies to Senator Gorman from the house.

House bill No. 197 read third time.

“Shall the bill pass?”

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Holland, Hale, Henry, Hansard, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Palmer, Pendleton, Paulsen, Richardson, Stafford, Swank, Summers, Smith, Taylor, Wilson, Wilcox, Mr. Speaker—51.

Nays—Mr. Thompson—1.

Absent—Messrs. Crook, Goodsell, Gay, Hicks, Miller of Jackson, Pomeroy, Roberts, Vanderpool—8.

So house bill No. 197 passed and the title of the bill stood as the title of the Act.

House bill No. 108 read third time.

“Shall the bill pass?”

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Daly, Gubser, Miller of Jackson, McLean, Munger, Pomeroy, Paulsen, Roberts, Swank, Summers—10.

Nays—Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Gard, Hansard, Hicks, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Linn, Mitchell, McKenzie, Mackay, McCully, Noyer, Osborn, Palmer, Pendleton, Richardson, Stafford, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—44.

Absent—Messrs. Goodsell, Gay, Holland, Hale, Henry, Harris—6.

So house bill No. 108 failed to pass.

House bill No. 162 read third time.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Biggs, Blevins, Crook, Culver, Davis, Daly, Gard, Gubser, Gay, Henry, Hansard, Hicks, Harrington, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—49.

Nays—Messrs. Bowditch, Mayer, Noyer—3.

Absent—Messrs. Bilyeu, Crockett, Goodsell, Holland, Hale, Harris, Holmes, Thompson—8.

So house bill No. 162 passed, and the title of the bill stood for the title of the Act.

House bill No. 58 read third time.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bilyeu, Biggs, Blevins, Crockett, Davis, Gard, Gubser, Gay, Hale, Henry, Hansard, Haley, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Little, Miller of Linn, Mitchell, McLean, Munger, McKenzie, McCully, Noyer, Osborn, Palmer, Paulsen, Roberts, Richardson, Stafford, Summers, Smith, Vanderpool, Wilson, Wilcox, Mr. Speaker—39.

Nays—Messrs. Bowditch, Culver, Daly, Holland, Harris, Mayer, Maxwell, Miller of Jackson, Mackay, Pomeroy, Pendleton, Swank, Taylor—13.

Absent—Messrs. Crook, Goodsell, Hicks, Harrington, Holmes, Johnson, Lafollett of Yamhill, Thompson—8.

So house bill No. 58 passed and the title of the bill stood for the title of the Act.

House bill No. 230 was read third time.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blundell, Bowditch, Bilyeu, Biggs, Crockett, Davis, Daly, Gard, Hansard, Hicks, Lockett, Layman, Maxwell, Miller of Linn, Mitchell, Munger, McKenzie, Pendleton, Roberts, Wilcox—20.

Nays—Messrs. Benjamin, Culver, Gubser, Gay, Holland, Hale, Henry, Harris, Holmes, Johnson, Lafollett of Marion, Lafollett of Yamhill, Laughlin, Little, Mayer, McLean, McCully, Noyer, Osborn, Pomeroy, Palmer, Paulsen, Richardson, Smith, Taylor, Wilson, Mr. Speaker—27.

Absent—Messrs. Blevins, Crook, Goodsell, Harrington, Haley, Kruse, Miller of Jackson, Mackay, Stafford, Swank, Summers, Thompson, Vanderpool—13.

So house bill No. 230 failed to pass.

Mr. Bilyeu moved to adjourn.

Lost.

Further consideration of house bill No. 55 was on motion of Mr. Roberts indefinitely postponed.

House bill No. 190 read third time.

“Shall the bill pass?”

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Bowditch, Bilyeu, Biggs, Crook, Culver, Crockett, Davis, Gard, Gubser, Holland, Hale, Hicks, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, McLean, Munger, McKenzie, McCully, Noyer, Osborn, Pendleton, Paulsen, Roberts, Smith, Taylor, Wilson, Wilcox, Mr. Speaker—37.

Nays—Messrs. Blundell, Blevins, Daly, Gay, Henry, Hansard, Harris, Holmes, Haley, Layman, Miller of Linn, Mitchell, Mackay, Pomeroy, Palmer, Richardson, Stafford, Swank, Thompson, Vanderpool—20.

Absent—Messrs. Goodsell, Harrington, Summers—3.

So house bill No. 190 passed and the title of the bill stood for the title of the Act.

On motion of Mr. Roberts, the house adjourned.

— — — — — EVENING SESSION.

House called to order at 7:30 P. M. by the Speaker.

The roll was called and those absent were Messrs. Blundell, Holmes, Charles Lafollett, R. A. Miller, I. D. Miller, Mitchell, Paulsen and Thompson.

Mr. Gay moved that the vote by which house bill No. 214 failed to pass be reconsidered.

“Will the house reconsider the vote by which house bill No. 214 failed to pass?”

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins,

Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Haley, Kruse, Layman, Laughlin, Little, Mayer, Maxwell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Palmer, Pendleton, Paulsen, Roberts, Stafford, Summers, Smith, Vanderpool, Wilcox, Mr. Speaker—43.

Nays—Messrs. Harrington, Johnson, Lockett, Lafollett of Marion, Osborn, Pomeroy, Richardson, Swank, Thompson, Taylor, Wilson—11.

Absent—Messrs. Crook, Holmes, Lafollett of Yamhill, Miller of Jackson, Miller of Linn, Mitchell—6.

So the house sustained the motion to reconsider the vote on house bill No. 214.

“Shall the bill pass?”

Mr. Noyer moved to allow Mrs. Leonard to address the house on the merits of the bill.

The motion prevailed and Mrs. Leonard addressed the house.

On the passage of the bill the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Bilyeu, Biggs, Crook, Culver, Gard, Gubser, Hicks, Kruse, Laughlin, Little, Mayer, Maxwell, Munger, Noyer, Pendleton, Paulsen, Roberts, Summers, Smith, Vanderpool, Wilcox—22.

Nays—Messrs. Blundell, Bowditch, Blevins, Davis, Daly, Goodsell, Gay, Holland, Hale, Henry, Hansard, Harrington, Haley, Johnson, Lockett, Lafollett of Marion, Layman, McLean, McKenzie, Mackay, McCully, Osborn, Pomeroy, Palmer, Richardson, Stafford, Swank, Thompson, Taylor, Wilson, Mr. Speaker—31.

Absent—Messrs. Crockett, Harris, Holmes, Lafollett of Yamhill, Miller of Jackson, Miller of Linn, Mitchell—7.

So house bill No. 214 failed a second time to pass.

Mr. Bilyeu moved to reconsider the vote by which house bill No. 193 failed to pass.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Davis, Daly, Gard, Gay, Holland, Hale, Henry, Hansard, Hicks, Harrington, Haley, Lafollett of Marion, Little, Mayer, Maxwell, McLean, Munger, McKenzie, Pomeroy, Pendleton, Roberts, Richardson, Stafford, Summers, Smith, Thompson, Taylor, Wilson, Wilcox, Mr. Speaker—38.

Nays—Messrs. Gubser, Goodsell, Harris, Johnson, Kruse, Lockett, Layman, Laughlin, Mackay, McCully, Noyer, Osborn, Palmer, Swank, Vanderpool—15.

Absent—Messrs. Crockett, Holmes, Lafollett of Yamhill, Miller of Jackson, Miller of Linn, Mitchell, Paulsen—7.

So the house voted to reconsider house bill No. 193.

On motion of Mr. Bilyeu, the further consideration of the subject was made a special order for to-morrow at 2 P. M.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, February 14, 1887. }

Mr. Speaker: Your committee on enrolled bills, to whom was referred house bill No. 186, beg leave to report the same back to the house as correctly enrolled.

JOHN WILSON,
Chairman.

The Chair announced that he was about to sign house bill No. 186, and subsequently that he had signed it.

House bill No. 242 was read third time.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Davis, Daly, Gard, Gay, Holland, Hale, Henry, Hicks, Haley, Johnson, Kruse, Layman, Laughlin, Little, Mayer, Miller of Jackson, McLean, McKenzie, Mackay, McCully, Paulsen, Roberts, Stafford, Smith, Vanderpool, Wilson, Wilcox, Mr. Speaker—34.

Nays—Messrs. Culver, Gubser, Hansard, Harris, Harrington, Lockett, Lafollett of Marion, Maxwell, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Richardson, Swank, Thompson, Taylor—17.

Absent—Messrs. Crook, Crockett, Goodsell, Holmes, Lafollett of Yamhill, Miller of Linn, Mitchell, Munger, Summers—9.

So house bill No. 242 passed and the title of the bill stood for the title of the Act.

House bill No. 147 was read third time.

Mr. Blundell offered the following amendment, which was embodied in the bill, there being no objection, viz.:

AMENDMENT.

Strike out of section 1 the last three lines, commencing after the word "thereof" and including the word "and," to the end of the section, and insert in lieu thereof the following:

"*Provided*, that the directors of said district may pay their clerks such additional compensation as in their judgment is necessary."

As amended, the question was, "Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Haley, Johnson Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, McLean, Munger, McKenzie, Mackay, McCully, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Mr. Speaker—53.

Nays—Davis, Noyer—2.

Absent—Messrs. Holmes, Lafollett of Yamhill, Miller of Linn, Mitchell, Wilcox—5.

So house bill No. 147 passed and the title of the bill stood for the title of the Act.

The committee on education, with leave to report this afternoon, made the following report:

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 14, 1887. }

Mr. Speaker: Your committee on education, to whom was re-committed house bill No. 59 for amendment, beg leave to report the same back to the house with the following amendment, to-wit:

AMENDMENT.

“In line 13 in section 37, subdivision 3 of printed bill strike out the word ‘district’ and insert in lieu thereof the words ‘legal voters present at any legally called school meeting.’”

And as herein amended, recommend that the bill do pass.

J. E. BLUNDELL,
Chairman.

On motion of Mr. Blundell, the amendment was adopted and engrossed at the desk by consent of the house.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 14, 1887. }

Mr. Speaker: Your committee on engrossed bills, to whom was referred house bill No. 59, beg leave to report the same back to the house as correctly engrossed.

J. H. ROBERTS,
Chairman.

House bill No. 59 read third time.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Haley, Johnson, Kruse, Lockett, Layman, Laughlin, Little, Mayer, Maxwell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Palmer, Paulsen, Roberts, Stafford, Summers, Smith, Thompson, Taylor, Wilson, Wilcox, Mr. Speaker—49.

Nays—Messrs. Lafollett of Marion, Pendleton, Richardson, Swank—4.

Absent—Messrs. Holmes, Lafollett of Yamhill, Miller of Jackson, Miller of Linn, Mitchell, Pomeroy, Vanderpool—7.

So house bill No. 59 passed and the title of the bill stood as the title of the Act.

House bill No. 72 was read third time.

By unanimous consent, at the instance of Mr. Blundell, subdivision 7 of section 1 was stricken out.

As amended, on the question "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hicks, Harris, Harrington, Holmes, Haley, Kruse, Lockett, Laughlin, Mayer, Miller of Jackson, McLean, Munger, McKenzie, Mackay, Osborn, Paulsen, Summers, Smith, Wilson, Wilcox, Mr. Speaker—38.

Nays—Messrs. Culver, Hansard, Johnson, Lafollett of Marion, Layman, Little, Maxwell, Mitchell, McCully, Noyer, Pomeroy, Palmer, Pendleton, Roberts, Richardson, Stafford, Swank, Thompson, Taylor, Vanderpool—20.

Absent—Messrs. Lafollett of Yamhill, Miller of Linn—2.

So house bill No. 72 passed, and the title of the bill stood as the title of the Act.

House bill No. 60 read third time.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Hale, Henry, Hansard, Hicks, Harris, Harrington, Haley, Johnson, Lockett, Lafollett of Marion, Layman, Laughlin, Little, Mayer, Miller of Jackson,

Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Richardson, Smith, Thompson, Taylor, Vanderpool, Wilson, Mr. Speaker—44.

Nays—Messrs. Noyer, Stafford, Swank—3.

Absent—Messrs. Biggs, Goodsell, Gay, Holland, Holmes, Kruse, Lafollett of Yamhill, Maxwell, Miller of Linn, Roberts, Summers, Wilcox—13.

So house bill No. 60 passed and the title of the bill stood for the title of the Act.

House bill No. 219 was read third time.

"Shall the bill pass?"

Pending discussion Mr. Mayer moved the previous question.

"Shall the main question be now put?"

Carried unanimously.

On the passage of the bill the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Culver, Crockett, Gubser, Hansard, Harris, Haley, Lafollett of Marion, Layman, Laughlin, Maxwell, Pomeroy, Palmer, Pendleton, Richardson, Swank, Smith, Taylor, Vanderpool—19.

Nays—Messrs. Blundell, Bowditch, Bilyeu, Blevins, Crook, Davis, Daly, Gard, Gay, Hale, Hicks, Harrington, Johnson, Kruse, Lockett, Little, Mayer, Miller of Jackson, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Paulsen, Summers, Thompson, Wilson, Wilcox, Mr. Speaker—32.

Absent—Messrs. Biggs, Goodsell, Holland, Henry, Holmes, Lafollett of Yamhill, Miller of Linn, Roberts, Stafford—9.

So house bill No 219 failed to pass.

Mr. Daly moved to suspend the rules and take up house bill No. 261 and read second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Haley, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Pendleton, Paulsen, Roberts, Richardson, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—52.

Nays—None.

Absent—Messrs. Biggs, Goodsell, Holmes, Johnson, Lafollett of Yamhill, Miller of Linn, Palmer, Stafford—8.

So the rules were suspended and house bill No. 261 read second time by title only.

Mr. Daly moved to further suspend the rules and read the bill the third time and put it on its final passage now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bilyeu, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Henry, Hansard, Hicks, Harris, Harrington, Haley, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Pomeroy, Palmer, Pendleton, Paulsen, Richardson, Stafford, Swank, Summers, Smith, Taylor, Wilson, Wilcox, Mr. Speaker—46.

Nays—None.

Absent—Messrs. Benjamin, Blundell, Bowditch, Biggs, Hale, Holmes, Johnson, Lafollett of Yamhill, Miller of Linn, Noyer, Osborn, Roberts, Thompson, Vanderpool—14.

So the rules were suspended and house bill No. 261 was read third time.

“Shall the bill pass?”

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bilyeu, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Osborn, Palmer, Pendleton, Paulsen, Richardson, Stafford, Summers, Smith, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—50.

Nays—None.

Absent—Messrs. Bowditch, Biggs, Holmes, Lafollett of Yamhill, Miller of Linn, Noyer, Pomeroy, Roberts, Swank, Thompson—10.

So house bill No. 261 passed and the title of the bill stood for the title of the Act.

Mr. I. D. Miller was excused till to-morrow morning and Mr. Stafford till to-morrow evening.

On motion of Mr. Davis, the house ordered the consideration of house bill No. 241.

Pending the reading of the bill the house, on motion of Mr. Pendleton, adjourned.

TUESDAY, FEBRUARY 15, 1887.

MORNING SESSION.

HOUSE OF REPRESENTATIVES,
SALEM, February 15, 1887. }

House called to order at 9:30 A. M., Speaker in the chair.

Prayer by Rev. J. W. Webb of Salem.

The roll was called and those absent were Messrs. Benjamin, Kruse, Noyer, Pendleton, Stafford and Vanderpool.

On motion of Mr. Daly the reading of the journal of yesterday was dispensed with.

Mr. Mayer desired to take up senate bill No. 164, but Mr. Davis claimed that as the house had adjourned pending the reading of house bill 241 it should take precedence.

The Chair so decided.

Mr. Little offered and moved adoption of house resolution No. 58, as follows:

HOUSE RESOLUTION NO. 58.

WHEREAS, The end of this session of the legislature is approaching and it is manifest that many bills cannot be acted upon in their regular order; therefore, be it

Resolved, That each member of this house shall have the right to select one bill and it shall be acted upon in preference to all others. The bill shall be selected by the members as their names appear on the roll call.

Mr. Little accepted an amendment by Mr. Taylor that the roll should be called backward in making selections.

The resolution was not adopted.

Mr. Harrington introduced and moved the adoption of house joint resolution No. 12.

HOUSE JOINT RESOLUTION NO. 12.

Resolved by the House, the Senate concurring:

That all printing specially authorized by law to be done for the State or any State department, executive, administrative, legislative or judicial, for the board of agriculture, the board of investigation, or any board of trustees of the State, the mute school, the blind school or for any State purpose or use whatsoever shall be done by

the State Printer under the provisions of the laws governing the public printing and not otherwise.

"Shall the resolution be adopted?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Osborn, Pomeroy, Palmer, Paulsen, Roberts, Richardson, Swank, Smith, Thompson, Taylor, Vanderpool, Wilcox, Mr. Speaker—52.

Nays—None.

Absent—Messrs. Benjamin, Johnson, Lafollett of Yamhill, Noyer, Pendleton, Stafford, Summers, Wilson—8.

And the house adopted the resolution.

Committee on assessment and taxation made the following majority and minority reports by common consent:

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 9, 1887. }

Mr. Speaker: Your committee on assessment and taxation, to whom was referred house bill No. 229, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendment, to-wit: Strike out all after the word "there" in first line of section 1 and insert the following:

D. SMITH,
Chairman.

AMENDMENT.

A bill for an Act to provide for the election of precinct assessor, abolish the office of county assessor, change the method of making assessments and for recording of deeds to listed and patented lands to companies, persons or corporations, that the same may be assessed.

Be it enacted by the Legislative Assembly of the State of Oregon:

Section 1. There [amendment:] shall be listed all real and personal property in this State and all personal property owned by any

person residing therein which is subject to taxation for the support of the government of the State unless expressly exempted therefrom by law.

Section 2. *Real property defined:* Real property for the purpose of taxation shall be construed to include and mean the land itself, whether laid out in town lots or otherwise, with all things contained therein; and also all buildings, structures, improvements, trees and fixtures of whatever kind thereon; and all rights and privileges belonging or in any wise appertaining thereto; and a mortgage, deed of trust, contract or other obligation whereby land or real property situated in no more than one county in this State is made security for the payment of a debt together with such debt shall for the purposes of taxation be deemed real property.

Section 3. *Personal property defined:* Personal property shall for the purposes of taxation be construed to include all goods, chattels, moneys, credits and effects, wheresoever they may be, all ships, boats and vessels belonging to the inhabitants of this State, whether at home or abroad, and all capital invested therein; all moneys at interest, either within or without this State, except where such moneys are secured by a mortgage on lands situated in no more than one county in this State; all public stocks and securities, all shares of stock in turnpikes or other corporate wagon roads, railroads, canal and other corporations (except national banks) out of the State and owned by inhabitants of this State; all personal estate of moneyed corporations, whether the owners thereof reside in or out of this State and the income of any annuity, unless the capital of such annuity be taxed within this State; all shares of stock in any bank organized or that may hereafter be organized under any law of the United States or of this State; and all improvements made by persons upon lands held by them under the laws of the United States or of this State, the fee of which lands is still vested in the United States or in this State or in any railroad company or corporation; all machinery, utensils of trade not attached to the freehold, including the stock in trade.

POLL TAXES.

Section 4. A poll tax of one dollar shall be assessed upon every male inhabitant of this State between the ages of twenty-one and fifty years, except all active firemen who have been members of any volunteer fire company for a period of one year next preceding the assessment, which tax shall be collected and used for county purposes.

PROPERTY EXEMPT FROM TAXATION.

Section 5. All property described in this section to the extent herein limited shall be exempt from taxation, that is to say—

1. All property, both real and personal, of the United States and of this State.

2. All public or corporate property of the several counties, cities, villages, towns or school districts in this State, used or intended for corporate purposes.

3. The personal property of all educational, literary, charitable and scientific institutions incorporated within the State, and such real estate belonging to such institutions as shall be exclusively occupied for the purpose for which they were incorporated, and not used for pecuniary profit.

4. All houses of public worship and the lots on which they are situated, not to exceed one acre, and the pews and slips or furniture therein, and all burial grounds, structures thereon, tombs and rights of burial, together with such funds as may be invested exclusively for the care of such burial grounds; but any part of any building being a house of public worship which shall be kept or used as a store or shop or for any other purpose, except for public worship or for schools, shall be taxed upon the cash valuation thereof.

5. All public libraries, and the real or personal property belonging to or connected with the same.

6. The property of all Indians who are not citizens, except land held by him by purchase.

7. The personal property of all persons who by reason of infirmity, age or poverty may, in the opinion of the county board of equalization, be unable to contribute toward the public charges.

APPOINTMENT OF DISTRICT ASSESSORS.

Section 6. It is hereby made the duty of the several county courts in this State at the February term thereof, in the year 1888, or as soon thereafter as practicable, to divide their counties into as many tax districts as said court may deem expedient and number the same, which districts shall be known by their numbers; and in creating the same said courts shall include as many precincts or in cities as many wards as in the judgment of said courts will best secure a prompt and correct listing and assessment of all property therein; and on or before the first day of February, or as soon thereafter as practicable of each year thereafter, the several county

assessors in this State shall nominate and by and with the consent of the several county courts appoint a deputy county assessor for each of said tax districts, except the one in which the assessor resides, which deputies must be appointed with special reference to their qualifications and fitness to discharge the duties required by this Act, and must have the same qualifications as the county assessor, must qualify in like manner, and each must have resided in the county for two years before his appointment, and must at the time of his appointment be a resident of the district for which he is appointed; and said deputy county assessors shall have the same powers and discharge the same duties required by law of the county assessors.

Section 7. *Duty of county assessors:* The county assessor must assess the district in which he resides and require his deputies to make due return to him within the time allowed by law, not later than the 15th day of May of each year, and upon the completion of the assessment of the county by the assessor and his deputies it shall be his duty to consolidate the same into one book arranged in alphabetical order by districts and return the same to the county court of his county within the time prescribed by law.

Section 8. *Secretary of State shall prescribe forms of books:* The Secretary of State shall have power to prescribe the necessary form of assessment books and blanks to carry this Act into effect, the same to be in the form contained in the appendix to this Act as nearly as may be found practicable. Each county clerk in this State shall annually provide the necessary assessment books and blanks at the expense of his county for and to correspond with each assessment district to be substantially in the form prescribed by the Secretary of State. He shall make out in the real property assessment book, after the year 1887, for each assessment district in his county complete lists of all lands or lots subject to taxation, showing the names of the owners, if to him known, and if unknown so stated opposite each tract or lot included in each description of property. In like manner he shall also include in said book of assessment of real property an abstract of all mortgages on real property of record in his office, on real property situated in no more than one county in this State, showing under proper headings a description of the land mortgaged, the amount of money the same is security for, when due and in what book and on what page recorded, which book shall be ready for delivery on or before the first day of April of each year, and on that day the assessor and his deputies shall meet at the office of the county clerk for the purpose of receiving the same.

LISTING PROPERTY.

Section 9. *When to be listed:* All real property in this State subject to taxation shall be listed and assessed every year with reference to its actual value at the hour of six o'clock A. M. on the first day of April of each year, and all personal property subject to taxation shall be listed and assessed with reference to its actual value at the same time.

Section 10. *Where property shall be listed:* Real property shall be assessed and taxed in the county where the same is situated; personal property (except shares in incorporated banks), live stock, merchandise and property used in manufactory in the county and school and road districts where the owner resides; live stock, merchandise, property used in manufactories in the county and school and road districts where the same may be on the first day of April of each year.

Section 11. *Manner of listing real property:* Real property for the purposes of taxation shall be listed in the following manner, and the list must show:

1. The name of the owner of said property.
2. A description of each tract or parcel of land to be taxed, specifying under separate heads the township, range and section in which the land lies, or if divided into lots and blocks, then the number of each lot and block; and if a city, town or village, the name of such city, town or village; and also the number of school and the number of road district, where situated, and any other description necessary to identify the same.
3. The number of acres, or fractional part of an acre, as nearly as the same can be ascertained, unless the land be divided into lots and blocks.
4. The actual cash value of each tract, lot, block or parcel of land taxed.
5. The aggregate cash value of all real property taxed to such person.

Section 12. *The manner of listing personal property:* Personal property for the purposes of taxation shall be listed in the following manner:

1. Every person of full age and sound mind, being a resident of this State, shall list all his moneys, credits, bonds or stocks, shares of stock of joint or other companies (when the property of such company is not assessed in this State), moneys loaned or invested, annuities, franchises, royalties and other personal property.
2. He shall also list separately and in the name of his principal

all moneys and other personal property invested, loaned or otherwise controlled by him as the agent or attorney, on account of any other person or persons, company or corporation whatsoever, and all moneys deposited subject to his order, check or draft, and credits due from or owing by any person or persons, body corporate or politic.

3. The property of a minor child shall be listed to his guardian by the person having such property in charge.

4. The property of an idiot or lunatic by the person having charge of such property.

5. The property of a person for whose benefit it is held in trust by the trustee.

6. The property of corporations whose property is in the hands of receivers by such receivers.

7. The property of a body politic or corporate by the president or proper agent or officer thereof.

8. The property of a firm or company by a partner or agent thereof.

9. The property of manufacturers and others in the hands of an agent by such agent, in the name of his principal, as merchandise.

10. The property of the estate of a deceased person by the executor or administrator.

Section 13. *Steamboats and other water craft:* All persons, companies or corporations in this State owning steamboats, sailing vessels, wharf boats, tugs, barges or other water craft, shall be required to list the same for assessment and taxation in the county, town or district in which the same may belong, or be enrolled, registered or licensed or kept, when not enrolled, registered or licensed, and the county court of each county shall prescribe the ratio of such taxation.

Section 14. *Gas and water companies:* The personal property of gas and water companies shall be listed and assessed in the county, city and town where the principal works are located. Gas and water mains and pipes laid in roads, streets and alleys shall be held to be personal property.

Section 15. *Street railroad, ferry and bridge companies:* The personal property of street railroad and ferry companies shall be listed and assessed in the county where such property may be, and the track shall be deemed to be personal property.

Section 16. *Property of persons moving:* The owner of personal property moving from one county to another between the first day of April and the eighth day of June shall be assessed in either in which he is first called upon by the assessor. The owner of personal property moving into this State from another State between the first

day of April and the eighth day of June shall list the property owned by him on the first day of April of such year; *provided*, that if such person has been assessed, and he can make it appear to the assessor that he is held for tax for the current year on the property in another State, county or district he shall not be again assessed for such year.

Section 17. *Where to list property in case of dispute:* In all questions that may arise under this Act as to the proper place to list personal property, or when for any cause the same cannot be listed as provided in this Act, if between several places, precincts or districts in the same county, the place for listing and assessing shall be determined by the county board of equalization; and when between different counties by the State board of equalization, which determination in either case shall be final.

Section 18. *Deductions of indebtedness:* In making up the amount of property which any person is required to list for himself or for any other person, company or corporation, he shall be entitled to deduct from the gross amount thereof the amount of all bona fide indebtedness of himself, or of any such person, company or corporation due or owing in this State; but no obligation not founded on actual consideration, believed when received to have been adequate, and no such obligation made for the purpose of being so deducted shall be considered a debt within the meaning of this section. No deduction shall be allowed on account of any contingent liability as surety, endorser or guarantor; and in case two or more parties as principal debtors are jointly or severally liable for the payment of such indebtedness, neither of them shall be entitled to the deduction of any greater portion of it than the proportion each debtor bears to the whole number of such debtors. Nothing in this section shall be so construed as to apply to any bank, banker, company or corporation exercising banking powers or privileges.

Section 19. *Deductions of indebtedness when not allowed, and penalty for false statement relating thereto:* No person, company or corporation shall be entitled to any deduction on account of any bond, note or obligation of any kind given to any mutual insurance company, nor on account of any unpaid subscription to any religious, scientific or charitable institution or society, nor on account of any subscription to, or installment, payable on the capital stock of any company, whether incorporated or unincorporated; and in all cases where the deductions are claimed the assessor shall require a statement duly sworn to specifying the name and place of residence of the creditor, the nature of the debt, the names of other parties who are liable, if any; and in case of several being liable for the same debt, only an amount shall be deducted which is equal to the sum

which the party claiming the deduction ought to pay as between the several parties liable for such debt; and any such person, officer or agent knowingly or wilfully making a false or fraudulent statement touching any material fact necessary or proper to be known by the assessor shall be subject to a penalty of two hundred dollars, and also double the amount of damages the county injured shall have sustained by such fraud, recoverable by a civil action in the name of the State of Oregon, to be prosecuted by the district attorney in any court of competent jurisdiction.

Section 20. *Relating to the transfer of mortgages and regarding void mortgages on land in more than one county:* The owner of a mortgage, deed of trust, contract, or other obligation, whereby land or real property situated in one county in this State is made security for the payment of a debt, and also the debt so secured shall, for the purposes of assessment and taxation, be deemed to be the person or persons to whom the security was given in the first instance, unless it appears on the record of the security that some other person is the owner; and all assignments or transfers of a debt secured as mentioned in this Act shall, for the purposes of assessment and taxation, be null and void, unless such transfer or assignment is made in writing upon the margin of the record of the security, and the name of the person to whom such debt is assigned or transfer given; and in all cases such debt and security shall be assessed and taxed to the person or persons who appear on the record of such security to be the owners thereof. All mortgages, deeds of trust, contracts, or other obligations hereafter executed, whereby land situated in more than one county in this State is made security for the payment of a debt shall be void; *provided*, that any corporation owning or operating a railroad in this State may execute mortgages, deeds of trust or obligations whereby its roadbed, rolling stock, right of way, depots, lands, franchises and property situated and being in more than one county in this State, through which said railroad passes, may be included in the same mortgage, deed of trust or obligation.

Section 21. *Payments on recorded mortgages must be entered upon the record:* For the purposes of assessment and taxation no payment on any debt secured as hereinbefore mentioned in this Act shall hereafter be taken into consideration by any assessor in this State when assessing such debt and security as herein provided, unless such payment is endorsed in writing on the margin of the record of such security by the owner thereof or his authorized agent before the delivery by the county clerk to the assessor of the abstract of securities hereinafter provided for; and whenever a recorded mortgage, deed of trust or other obligation exists whereby land or

real property situated in no more than one county in this State is made security for the payment of a debt, it shall be the duty of the assessor to appraise such land upon the same basis as if the land or real property in question were unincumbered, and thereupon apportion such appraised valuation between the owner of the land or real property and the mortgagee, or holder of the incumbrance, in proportion to their respective interests and assess the same to them respectively in accordance with such apportionment.

Section 22. *Mortgage deemed land:* Every promissory note or other instrument of writing which is evidence of a debt, that is wholly or partially secured by land or real property situated in no more than one county in this State, shall be taxed for any purpose in this State; but the debt evidenced thereby and the instrument in which it is secured shall for the purpose of assessment and taxation be deemed and considered as land or real property and together be assessed and taxed as hereinbefore provided.

Section 23. *Mortgages in favor of the State:* Nothing in the foregoing shall be construed to apply to mortgages, deeds of trust, contracts or other obligations in favor of the State, or the board of commissioners for the sale of school and university lands, or judgments in favor of the State, or any of its educational funds whereby such debt is made a charge or lien upon real property; nor shall it apply to any like securities made in favor of any organization, the real property of which is under any law of this State exempt from taxation.

Section 24. *Assessor to leave schedules with tax-payer:* The assessor shall call at the office, place of doing business or residence of each and every person required by this Act to list property and furnish every such person the necessary blanks to enable such person to comply with the provisions of this Act, and require such person to make a correct statement and list of his taxable property or such as he is required to list under this Act; and every person so required shall enter a true and correct statement of such property in the form prescribed, and the assessor shall assist him about the same if required, which statement shall be verified as in this Act prescribed and then delivered to the assessor, who shall thereupon assess the value of such property and enter the same upon such list and in his books; said list and statement shall be as of the first day of April at the hour of six o'clock A. M. of said day, for the year in which it shall be made, and shall have reference to the taxable condition of such person's property at such hour.

Section 25. *Schedule of personal property:* It shall be the duty of the assessor to determine and fix the true and full value of all items of personal property included in such statement, and enter the same

opposite such items respectively, so that when completed such statement shall truly and distinctly set forth :

1. The number of horses one year old and over and the value thereof.

2. The number of stallions and their value.

3. The number of mules and asses one year old and upward and the value thereof.

4. The number of cattle one year old and over and the value thereof.

5. The number of blooded bulls and number of blooded cows, and their value.

6. The number of sheep and the value thereof.

7. The number of blooded sheep and their value.

8. The number of goats and the value thereof.

9. The number of hogs and the value thereof.

10. The number of wagons, carriages, hacks, drays and other vehicles of whatever kind and the value thereof.

11. The number of feet of saw logs, timber, cordwood and lumber, whether on land or afloat and the value thereof.

12. The number of pianofortes, melodeons and organs and other musical instruments and the value thereof.

13. The value of all household furniture.

14. The value of office furniture.

15. The value of gold and silver plated ware.

16. The value of diamonds, jewelry, watches and clocks.

17. The value of all agricultural tools, implements and machinery.

18. The value and description of every franchise, annuity, royalty and patent right.

19. The value of every steamboat, sailing vessel, steamship, tug boat, wharf boat, barge or any other boat or water craft whatever.

20. The value of all goods, wares and merchandise which any person has on hand or for sale; the value of materials and wholly and partially made up materials and stock in trade, and manufactured articles which such person is required to list as a manufacturer.

21. The value of manufacturers' tools, implements and machinery, including engines, boilers and other motive powers and fixtures.

22. The amount of moneys of banks (other than those whose capital is represented by shares of stock), bankers, brokers or stock jobbers.

23. The amounts of credits of banks (other than those whose capital is represented by shares of stock), bankers, brokers and stock jobbers.

24. The amount of moneys other than of banks, bankers, brokers or stock jobbers.

25. The amount of credits other than of bank, banker, broker or stock jobber.

26. The amount and value of bonds and stock other than bank stock.

27. The amount and value of the shares of bank stock and the name and location of the bank issuing the same.

28. The amount and value of shares of capital stock of companies and associations not incorporated by the laws of this State.

29. The value of stock and furniture of sample rooms and eating houses, including billiard tables, bagetelle tables or any other table on which games are played with balls and cues.

30. The number of fire and burglar proof safes and vaults and their value.

31. The value of all elevators, warehouses, cleaners, scales, and other improvements on lands, the title to which is vested in any railroad company or within any railroad or other grant.

32. The value of all improvements on lands, the title of which is still in the United States or in this State.

33. The quantity and value of all gold dust, bullion or uncoined gold or silver, and the tools, implements and engines used in working any mines.

34. The value of saloons, licensed liquor houses, and the fittings, fixtures, furniture, stock in trade and effects in and about the same.

35. The value of ores mined and ready for reduction, or wholly or partially reduced.

36. Amount of State, county or city warrants and their value.

37. Ferries with their appurtenances and their value.

38. Number of bee hives and their value.

39. Number of printing presses and cases of type and fixtures and their value.

40. The value of all other articles of personal property not included in the preceding forty items.

Section 26. *Duties of lister of property*: Every person required by this Act to list property shall make out and deliver to the assessor when required a statement verified by his oath of all the property in his possession or under his control and which by the provisions of this Act he is required to list for taxation, either as owner or holder thereof, or as guardian, parent, trustee, executor, administrator, receiver, accounting officer, partner, agent, factor or otherwise; but no person shall be required to include in his statement any share or portion of the capital stock or property of any

company or corporation which such company is required to list or return as its capital or property for taxation in this State.

Section 27. *Oath of lister of property:* Said list shall be veried in the following form:

STATE OF OREGON, }
COUNTY OF _____ } ss.

I, _____, being first duly sworn on oath according to law, do say that the above and foregoing list contains and is a full and true list of all the real and personal property taxable in the county of _____ and which I am required to list for taxation, either as owner or holder thereof or as guardian, parent, trustee, executor, administrator, receiver, accounting officer, partner, agent or factor, and that the deduction claimed on account of indebtedness or on account of actual existing *bona fide* debts due and owing to creditors residing in this State on the first day of April last past, and that they were not contracted or created for the purpose or with the intent to deduct the same from my tax list, and that the names and places of residence of said creditors are correctly and truly stated in the foregoing list; that I am, or the person, company or corporation for whom I act (as the case may be) is directly and not contingently liable for said debts, and that the same have not been deducted in any other county or place in the State from my assessment for this year; and that I have not nor has the person, company or corporation for whom I act (as the case may be) conveyed, removed or disposed of any property or effects for the purpose of evading taxations in this State.

Subscribed and sworn to before me this _____ day of _____, 18____

And every person who shall wilfully and knowingly swear falsely to any such list or make a false statement therein respecting any material fact shall pay a penalty of five hundred dollars to the county in which he resides, which shall be recovered in civil action by the proper district attorney in the name of the State of Oregon in the circuit court having jurisdiction, and the money when collected shall be paid into the county treasurer and placed to the credit of the common school fund.

Section 28. *Assessor may examine tax-payer under oath:* Whenever the assessor shall be of the opinion that the person listing property for himself or any other person, company or corporation has not made a full, fair and complete list of such property, he may examine such person under oath in regard to the amount, location and condition of the property he is required to list; and if such person shall refuse to list such property or to verify his list or to answer under oath, and a full and true discovery make, the assessor shall examine any other person under oath touching the same, and list and value the property of such person or his principal according to his best judgment and information, and he shall then double the valuation thereof, and no correction, deduction or abatement from such amount shall be allowed.

Section 29. *Assessor—When to commence and close listing and assessment:* The assessor shall commence the assessment of property in his county on the first day of April of each year, and shall complete the same by the fifteenth day of May next thereafter; and

shall perform the duties required of him by this Act in the manner following, to-wit: He shall actually view and determine the true and full value of each tract or lot of real property listed for taxation, and shall enter the value thereof, including the value of all improvements and structures thereon opposite each description of property. He shall make an alphabetical list of all persons in his county liable to taxation, and require each person to make a correct list and statement of all the property he is required to list, which statement and list shall be subscribed and sworn to as in this Act provided, by the person listing the property; and the assessor [shall] thereupon determine the value of all the property and credits included in such statement, and list and enter the same in the assessment books opposite the name of the party assessed and extend the aggregate value of all property assessed to each person into the proper column.

Section 30. *Property shall be assessed at its full and true value in money, and the manner of valueing property:* All property shall be assessed at its full and true value in money. In determining the true and full value of real or personal property, the assessor shall not adopt a lower or different standard of valuation, because the same is to serve as a basis of taxation, nor shall he adopt as a criterion of value the price for which the property would sell at auction or at a forced sale, or in the aggregate with all the property in the precinct or district; but he shall value each article or description of property by itself, and at such sum or price as he believes the same to be fairly worth in money. In assessing any tract or lot of real property the value of the land exclusive of improvements shall be determined; also the value of all improvements or structures thereon, and the aggregate value of the property including all structures and other improvements and excluding the value of crops growing on cultivated land. In valueing any real property upon which there is a mine of the precious metals, coal or other mine, or stone or other quarry, the same shall be valued at such price as such property, including the mine or quarry, would sell at a fair and voluntary sale for cash. Taxable leasehold estates shall be valued at such price as they would bring at a fair voluntary sale for cash. Money, whether in possession or on deposit shall be entered in the statement at the full amount thereof. Every credit for a sum certain, and fixed by the terms of the contract, payable in money or property of any kind, labor or services, shall be valued at the full price of the same so payable unless the assessor shall be satisfied that the obligor in such contract is insolvent.

Section. 31. *If lister be sick or absent, assessor must leave schedule and notice at place of business or residence:* If any person required

by this Act to list property shall be sick or absent when the assessor calls for a list of his property the assessor shall leave at the office or usual place of residence or business of such person a written or printed notice with the necessary blanks therefor, requiring such person to make out and leave at a place to be specified in such notice in said county or district, on or before such convenient day named therein, the statement or list required by this Act. The date of leaving such notice and the name of the person required to list the property shall be noted by the assessor in his assessment books.

Section 32. *If the person refuses or neglects to list property, or refuses to swear to list, assessor shall note the fact on assessment roll:* In every case where any person whose duty it is to list property for taxation has refused or neglected to list the same, when called on by the assessor for that purpose or to take and subscribe the oath required by this Act to be annexed to such statement when required by the assessor, the assessor shall enter opposite the name of such person in an appropriate column the words "refused to list" or "refused to swear," as the case may be; and in every case where any person required to list property for taxation has been absent or unable from sickness to list the same, the assessor shall enter opposite the name of such person in an appropriate column the words "absent" or "sick." The assessor is hereby authorized and empowered to administer oaths to all persons who, by the provisions of this Act, are required to swear, or whom he may require to testify in any case, or touching any matter he is authorized or required to know or investigate in the discharge of his duties, and he may examine upon oath any person whom he may suppose to have knowledge of the amount or value of property of any person refusing to list or verify his list of property.

Section 33. *Assessor must make diligent inquiry and ascertain value of property. Penalty for refusing to swear to list:* In all cases of a failure to obtain a statement of property from any cause, it shall be the duty of any assessor to make diligent inquiry and ascertain the amount and value of such property, and assess the same at such amount as he believes to be the true value thereof; and if such person refuses to give his list or verify the same, the assessor shall double the valuation of such property.

Section 34. *Where owners cannot be found, property must be assessed to "Unknown:."* If the assessor is unable to find the owner of any real property liable to taxation in this State, after strict and diligent inquiry in his county, he shall assess the same as "unknown" with like effect as if the same had been regularly listed, and value the same at its actual value in money.

Section 35. *The assessor must designate the number of school and*

road district: It shall be the duty of the assessor when assessing either real or personal property to designate the number of school and road district in which real property is situated, and the number of the school and road district in which the personal property is taxable, which designation shall be made by writing the number of each of said district opposite each assessment, in columns provided for that purpose in the assessment books.

Section 36. *Assessor must complete books by second Monday in June and verify same and turn over to county clerk:* The assessors shall on or before the second Monday in June make return to the county clerk of their assessment books and deliver therewith the list and statements of all persons assessed, all of which shall be filed and preserved in his office by the county clerk. Such return shall be verified by their affidavit, in the following form:

STATE OF OREGON, }
County of } ss.

I, district assessor of county, Oregon, do solemnly swear that the book to which this is attached contains a correct and full list of all the real and personal property in said county of so far as I have been able to ascertain the same, and that the assessed value set down in the proper column opposite the several kinds and descriptions of property is in each case the true and full value of such property to the best of my knowledge, information and belief.

Sworn to and subscribed before me the day of 18--
County Assessor, (or district, as case may be.)

County Clerk.

And each deputy assessor shall make a like return and affidavit, as near as may be, and annex the same to the assessment of his district.

Section 37. *If any person has not listed property, may, upon affidavit, list same with county clerk before taxes are extended:* If any person required to list property for taxation is prevented by sickness or absence from giving to the assessor such statement, such person or his agent having charge of such property may at any time before the extension of taxes thereon by the county clerk make out and deliver to the county clerk a statement of the same as required by this Act; and the clerk shall in such case make an entry thereof and correct the corresponding item or items in the return made by the assessor, as the case may be; but no such statement shall be received by the county clerk from any person who refused or neglected to make oath to his statement when required by the assessor as provided herein, nor from any person, unless he makes and files with the county clerk an affidavit that he was absent from his district without design to avoid the listing of his property, or was prevented by sickness from giving the assessor the required statement when called upon for that purpose.

Provided, That all promissory notes, bonds, bills of exchange or other written evidences of indebtedness subject to taxation under the laws of this State which shall be wilfully withheld from the list of the taxable property by the person holding the same, whether by such person as owner or trustee or agent of another, and shall escape taxation for any year, on suit or action being brought in any court of this State to collect the money due on such note, bond, bill of exchange or other evidence of indebtedness by the owner or holder thereof at the time the same was so withheld from taxation, on an assignee or indorser or holder thereof (except indorsees of negotiable instruments in writing negotiated to such indorsees in good faith and for a good consideration in the usual course of business and without any knowledge on the part of the indorsee that such instrument had been withheld from taxation), if it should be made to appear on the trial of such suit or action that such note, bond or bill of exchange or other evidence of indebtedness has not been so listed or taxed, and it shall be so found by the verdict of a jury or by the court, and it shall further be made to appear in like manner and form on such trial that on such note, bond, bill of exchange or other evidence of indebtedness there is any sum of money still due and owing to the holder thereof, the court shall order such facts so found to be entered of record in such case, and shall order and adjudge or decree that the amount so found on such note, bond, bill of exchange or other evidence of indebtedness be one-half thereof paid into court for the benefit of the common school fund, and that one-half thereof be remitted to [the] debtor. And that the plaintiff in such suit or action pay the costs and disbursements thereof. And proof of the facts that such notes, bonds, bills of exchange or other evidence of indebtedness has not been so listed or taxed shall be *prima facie* evidence that such neglect to list or pay such was wilful as to such original owner or holder, and as to such assignee or indorsee or holder when receiving the same after it becomes due.

Section 38. It shall be the duty of the assessor to deduct the amount of all bona fide indebtedness due or owing in the State of any person or corporation or company assessed from the gross amount of the property of said person, corporation or company; but no debt or obligation not founded on actual consideration believed when received to have been adequate, and no such debt or obligation made for the purpose of being so deducted shall be considered a debt within the meaning of this section.

No deduction shall be allowed on account of any contingent liability as surety, endorser or guarantor, and in case two or more parties as principal debtors are jointly or severally liable for the pay-

ment of such indebtedness neither of them shall be entitled to the deduction of any greater portion of it than the proportion of each debtors bears to the whole number of such debt; *provided, however*, that no indebtedness shall be deducted unless the person, company or corporation shall at the time of the assessment make out under oath a list of the persons, corporations or company to whom he is indebted, and the amount, and deliver the same to the assessor. And if any assessor shall allow any indebtedness without said list first being made under oath and delivered to him, as in this section provided, he shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in a sum not less than one hundred dollars; and it shall be the duty of the district attorney to inquire into and prosecute any violation of this section.

Section 39. *Fees of assessors*: County assessors shall receive four dollars for each day necessarily employed in discharging their duties under this Act, and deputy assessors three dollars per day for the term actually and necessarily employed in assessing their respective districts, to be paid in each case out of the county treasury. If actually necessary the county court may employ additional clerical aid to the assessor.

RAILROADS.

Section 40. Railroad companies must maintain managing agents in this State. Every person or corporation operating or using any railroad in this State shall have and maintain an office in this State, and shall appoint and maintain thereat a secretary or managing agent.

All railroads, roadbeds, easements, depots, grounds, fixtures and appurtenances, and all lands owned by any railroad corporation in this State shall be taxed as other real estate in the county where the same is situated, and the rolling stock and other personal property of such corporation shall be taxed in the county where the principal office or place of business of such corporation is located.

BANKS AND BANKERS.

Section 41. *What is a bank or banker*: Every person, company or association not incorporated under the laws of this State or of the United States for banking purposes who shall keep an office or other place of business and engage in the business of lending money, receiving money on deposit, buying and selling bullion, bills of exchange, notes, bonds, stocks or other evidence of indebtedness with

a view of profit shall be deemed a bank, banker or bankers within the meaning of this Act.

Section 42. *The manner of assessing banks:* The president, cashier, manager or accounting officer of every bank whose capital is not represented by shares of stock, and every banker, broker or stock jobber shall make out and deliver to the assessor when required to list personal property a statement, which he shall verify by oath to the effect that the same is a true showing.

1. The amount of money on hand or in transit.
2. The amount of money in the hands of other banks, brokers or others, subject to draft.
3. The amount of checks or cash items; the amount thereof not being included in either of the preceding items.
4. The amount of bills receivable, discounted or purchased, and other credits due or to become due, including over-drafts, accounts receivable, and interest accrued but not due, and interest due and unpaid.
5. The amount invested in stocks, bonds or other securities of any description during the three months immediately preceding the first day of April in such year and not disposed of.
6. The amount of bonds and stocks (except United States bonds and any bonds or securities which by any law of this State are exempt from taxation) and shares of capital stock of joint stock of other companies or corporations held as an investment, or in any way representing assets except such as are included in item fifth.
7. All other personal property appertaining to said business.
8. The amount of all deposits made with them by other parties and the names of such parties.
9. The amount of all bills and accounts payable other than current deposit accounts.
10. All real estate and all mortgages on land or real property situated in no more than one county in this State.

The amount of the eighth item shall be deducted from the aggregate amount of the first, second, third and fifth items, and the remainder, if any, shall be listed as money under subdivision twenty-two of section twenty-five of this Act. The amount of the ninth item shall be deducted from the amount of the fourth item, and the remainder, if any, shall be listed as credits under subdivision twenty-three of section twenty-five of this Act. The amount of the sixth item shall be listed as bonds and stocks are listed under this Act; and the seventh item as other similar property is listed under this Act. The amount of the tenth item shall be listed and assessed as elsewhere provided in this Act if the mortgage be recorded, if not, then as other credits. Any person who knowingly and wilfully

makes a false statement under this section shall be subject to the penalty and damages prescribed in section nineteen of this Act, recoverable in the same manner.

Section 43. *Stocks of banks, how and when assessed:* The stockholders of every bank organized under the laws of this State shall be assessed and taxed on the actual cash value of their shares therein in the place where such bank is located and not elsewhere, whether such stockholders reside in such place or not. Such shares of stock shall be listed and assessed annually with regard to the ownership and value thereof on the first day of April in each year. To aid the assessor in determining the value of such shares of stock the president, cashier or accounting officer of every bank shall furnish a statement to the assessor, verified by oath, to the effect that he believes it to be true, showing the number of shares of the capital stock of such bank and par value thereof, the amount of its surplus fund, the amount of its legally authorized investments in real estate, the amount of mortgages on land or real property situated in no more than one county in this State held by such bank, the amount of United States bonds which for three months prior thereto have been held by such bank for investment, and the amount of bonds or other securities exempt from taxation by any law of this State. From the aggregate of such capital and surplus fund the assessor shall deduct the real estate and mortgages on land or real property situated in no more than one county in this State, and the remainder shall be taken as a basis for the valuation of such shares of stock in the hands of the stockholders subject to the provisions of law requiring all property to be assessed at its true value. The real estate and mortgages on land or real property situated in no more than one county in this State shall be listed and assessed as elsewhere provided in this Act.

Section 44. *Assessment of national banks:* The stockholders of every bank organized under the laws of the United States, located within this State, shall be assessed and taxed on the actual cash value of their shares therein, in the place where such bank is located and not elsewhere, whether such stockholders reside in such place or not. Such shares of stock shall be listed and assessed annually with regard to the ownership and value thereof, on the first day of April in each year. From the aggregate capital and surplus fund as ascertained by the assessor, he shall deduct the value of real estate, together with the mortgages on land or real property situated in no more than one county in this State, and the remainder shall be taken as a basis for the valuation of such shares in the hands of the stockholders, subject to the provisions of law requiring all property to be assessed at its true and full value. The real estate and mort-

gages on land or real property situated in no more than one county in this State shall be listed and assessed as elsewhere provided. The shares of capital stock of national banks not located in this State held in this State shall not be required to be listed under this Act.

Section 45. *Banks shall keep a correct list of all their stockholders:* In every bank and banking office there shall be kept at all times a full and correct list of the names and residences of the stockholders, owners and parties interested therein, showing amount of capital stock, the par value, the amount of shares and the amount held, owned or controlled by each party in interest, which statement or list shall be subject to the inspection of the officers authorized by law to assess property for taxation, and it shall be the duty of the accounting officer or cashier of each bank or banking institution to furnish the assessor with a duplicate copy of such list, verified by oath to the effect that the same is true, which shall be filed by the assessor in the office of the county clerk, and be preserved by him.

Section 46. *Bank may retain enough of dividends to pay taxes of stockholders:* To secure the payment of taxes on bank stock or banking capital, it shall be and is hereby made the duty of every bank or managing officer or officers thereof to retain so much of any dividend or dividends belonging to such stockholders or owners as shall be necessary to pay any taxes levied upon their shares of stock, or interest, respectively, until it shall be made to appear to such bank or its officers that such taxes have been paid; and any officer of any such bank who shall pay over or authorize the paying over of any such dividend or dividends, or any portion thereof, contrary to the provisions of this section, shall thereby become liable for such tax; and if said tax shall not be paid, the tax collector where such bank is located shall sell such shares or interest to pay the same, in like manner and with like effect as other property is sold on execution, and give the purchaser a certificate therefor, which shall vest in him the title and interest of such tax-payer in or to such share, shares or interest, and shall entitle the holder of such certificate to the transfer of said stock to him on the books of said bank.

INSURANCE, TELEGRAPH AND OTHER COMPANIES.

Section 47. *Telephone, electric light, plank road, turnpike, wagon road and bridge companies pay on gross earnings:* Each and every electric light company or corporation and every plank road, turnpike road, wagon road company or corporation, and every bridge company or corporation doing business in this State, wherever or

ganized or incorporated, shall on the first day of April in every year after this Act takes effect make out and file with the Secretary of State a statement, verified by the president or secretary of any such company or corporation, showing the gross amount of money or notes received by any such company or corporation for or on account of rents, fares, tolls, license or otherwise during the year next before said first day of April, which amount of gross receipts the Secretary of State shall forthwith certify to the State Treasurer, and every such company or corporation shall thereupon pay to the State Treasurer three per centum of all such gross receipts, and upon failure to make such payment the Treasurer shall forthwith proceed to collect the same by distraint and sale of the goods and chattels of such delinquent corporation in the same manner and with like effect as provided in section 53 of this Act. The above payments shall be in lieu of all taxes except on real property, which shall be listed and assessed as elsewhere provided.

Section 48. *Insurance companies not organized under the laws of this State must pay on their gross earnings:* Every insurance company not organized under the laws of this State and doing business herein shall on or before the first day of April, 1887, and on or before the first day of April in each year thereafter, report to the Secretary of State a statement of the gross amount of all receipts, whether in money or notes, received or accruing from business transacted in the State of Oregon on account of insurance premiums for the preceding calendar year, the truth of which statement shall be verified under oath of the president, secretary, managing director, or general or other agent or attorney in this State of such company. The Secretary of State shall file such statement in his office and certify the amount of such gross receipts to the State Treasurer. At the time of filing such statement in each year such insurance company shall pay to the State Treasurer two per centum on such gross receipts. Any such insurance company failing or refusing for more than thirty days to render an accurate account of its premium receipts as herein provided, and to pay the required per centum thereon, shall be fined one hundred dollars for each additional day such report or payment is delayed; and the Secretary of State is hereby required to cause an action to be instituted in the name of the State of Oregon, in any court of competent jurisdiction, to recover such penalty, and such company shall be prohibited from doing business in the State until such payment is made. Its real property, if any, shall be listed and assessed as other real property.

Section 49. *Express companies must pay on gross earnings:* Any corporation not incorporated under the laws of this State conveying to, from or through this State goods, wares, merchandise, money,

packages, gold, silver, plate or other articles over the lines of any railroad company, stage company or steamboat company, or by or under any contract with the managers, lessees, agents or receivers thereof (not including railroad companies engaged in ordinary transportation of merchandise or other articles in this State), shall be deemed to be an express company. Every such express company shall on or before the first day of April in the year 1887, and each year thereafter, make and deliver to the Secretary of State a statement verified by the oath of the president, secretary or managing agent of such company, showing:

1. The place in this State where the principal office of such express company is maintained.

2. The amount of the gross receipts of such company derived or accruing from its business in this State for the preceding calendar year, computed as hereinafter required. Where the amount received by such express company is for carriage of goods, moneys or other articles between terminals in this State such amount shall be deemed gross receipts within the meaning of this Act. And where the amount received by such express company is for such carriage between terminals, one of which is in this State, so much of said amount received that the number of miles of carriage in this State bears to the whole number of miles of carriage shall also be deemed gross receipts within the meaning of this Act. Such gross receipts shall include all sums earned or charged of the business of the preceding year whether actually received or not. At the time of delivering such statement to the Secretary of State such company shall pay to the State Treasurer three per centum of such gross receipts. Any such express company failing or refusing for more than thirty days to render such statement and to make such payment as herein provided shall be fined one hundred dollars for each additional day such statement and payment shall be delayed, and the Secretary of State is hereby required to cause an action to be instituted in the name of the State of Oregon in any court of competent jurisdiction for the recovery of such penalty; and such company or corporation shall be prohibited from carrying on said business in this State until such payment is made. Such payment is in lieu of all taxes of every kind except on real property, which shall be listed and assessed as elsewhere provided.

Section 50. *Telegraph companies pay on miles of wire:* Any joint stock association or corporation not incorporated in this State engaged in transmitting to, from, through or in this State telegraphic messages shall be deemed a telegraph company. Every such telegraph company shall on or before the first day of April in the year 1887 and each year thereafter make and deliver to the Secretary of

State a statement, verified by the oath of the president, secretary or managing agent in this State of such company, showing:

1. The length of line of telegraph in this State, owned, used, operated or controlled by such company.

2. The miles of wire used in or constituting the said line.

3. Location of the principal office of such company in this State.

At the time of delivering such statement to the Secretary of State such company shall pay to the State Treasurer a tax of one dollar for each mile of wire used in or constituting part of any such line, and each separate wire in the line shall be considered in ascertaining the mileage herein. Any such telegraph company failing or refusing for more than thirty days to render the report or make the payment herein provided shall be subject to a penalty of fifty dollars per day for each additional day such payment and statement shall be delayed, to be recovered in the manner provided in section fifty-three. It shall be unlawful for such company to carry on its business in this State until such payment is made. Such payment shall be in lieu of all taxes of every kind except taxes on real property, which shall be listed and assessed as elsewhere provided.

Section 51. *Telephone companies must pay on gross earnings:* Every telephone company doing business in this State shall on or before the first day of April in the year 1887 and each year thereafter report to the Secretary of State, under oath of an officer or agent of such company, the gross amount of its receipts in the State of Oregon for the preceding calendar year; and shall at the time of making such report pay to the State Treasurer three per centum of such gross receipts. Any such telephone company failing or refusing for more than thirty days to render an accurate account of such gross receipts and pay the required tax thereon as herein provided shall be subject to a penalty of twenty dollars for each additional day such report and payment is delayed, to be recovered in the same manner as provided in section fifty-four. Such tax shall be in lieu of all taxes of every kind in this State except on real property, which shall be listed and assessed as hereinbefore provided.

Section 52. *Sleeping car companies pay on gross earnings:* Every joint stock association or corporation conveying to, from or through this State, or any part thereof, passengers in drawing room, chair or sleeping cars, on contract with any railroad company or the manager, lessee, agent or receiver thereof, shall be deemed to be a sleeping car company. Every sleeping car company doing business in this State shall, on the first day of April, in the year 1887, and each year thereafter, report to the Secretary of State, under oath of an officer or agent of such company, the gross amount of fares earned or business done within this State during the preceding calendar year; and

in computing such gross earnings the same shall be in proportion that the distance traveled in this State bears to the whole distance paid for; and such gross earnings shall include all sums earned or charged of the business of the preceding year, whether actually received or not. At the time of making such report such company shall pay to the State Treasurer three per centum of such earnings. Every sleeping car company failing or refusing to render such report or make such payment for more than thirty days, as herein provided, shall be subject to a penalty of twenty-five dollars for each additional day such a report and payment shall be delayed, to be recovered as provided in section 53, and it shall be unlawful for such sleeping car company to carry on its business in this State until such payment is made. Such tax shall be in lieu of all taxes of every kind in this State, except on real property, which shall be listed and assessed as hereinbefore provided.

Section 53. *Delinquencies and penalties of companies:* If any person, company or corporation mentioned in sections 52, 53, 54, 55, 49 and 48 of this Act shall neglect or fail to pay the amount of tax charged under this Act it shall be the duty of the State Treasurer to issue his warrant under his hand, in the name of the State of Oregon, to the sheriff of the county where such person, company or corporation has its principal office or place of business, or to the sheriff of such county where he may have reason to believe such person, company or corporation has property, requiring such sheriff to immediately collect the amount specified in said warrant, with ten per cent. in addition thereto as penalty, by the seizure and sale of the goods and chattels, lands and tenements of such delinquent. Such officer shall execute said warrant in like manner and effect as in case of execution, and within fifty days from the date of said warrant, pay the moneys collected thereon into the State treasury and make due return of said warrant to the State Treasurer.

MAPS AND PLATS.

Section 54. *County courts shall apply to surveyor generals or United States land office for plats:* It shall be the duty of the several county courts of this State where the same has not been obtained to apply to and obtain from the office of the surveyor general, the local United States land offices where necessary, and the land department of the State of Oregon, plats of all townships and parts of townships in their respective counties, showing the county lines on a scale sufficiently large to show the sections or parts of sections by their legal subdivisions, and all lands subject to taxation at the time, with the names of the grantees or donees of each tract. And said

county courts are authorized, if they deem it necessary, to procure and keep a tract book for their respective counties.

Section 55. *Who shall pay expense of procuring such maps and plats:* The expense of procuring such maps, plats and tract books, when deemed necessary, shall be borne equally, one-half by the State and the other half by the county, and it shall be the duty of the county courts to allow a reasonable compensation for the same and pay one-half thereof out of the county treasury and certify the other half to the Secretary of State, who shall draw his warrant on the State Treasurer therefor; *provided*, that nothing in this Act shall be so construed as to authorize or require any county to procure a map or plats where such county is already supplied therewith.

Section 56. *County board of equalization shall compare assessment lists with plats:* The county board of equalization shall annually carefully compare the assessment lists with said plats and may strike from said lists all lands not found on said plats, and place on the tax roll all land found on said plats and not on the assessment roll. It shall be the duty of the county courts to cause to be entered annually upon such maps and plats such additional lists of land subject to taxation as may have become subject to taxation during the year next before the first day of April of each year.

DUTIES OF COUNTY CLERK.

Section 57. *To prepare a list of tax-payers:* It is hereby made the duty of the several county clerks in this State, on or before the first day of April, 1888, and on or before the first day of April every year thereafter, to prepare a list of all the tax-payers in each tax district in his county, arranged in alphabetical order in the assessor's book for each district, and to place opposite each name a correct and true description of all real property in such district owned by such person, or which he is required to list under this Act as the same appears from said maps and plats from the records of his office; and the assessor shall assess said land by placing the actual cash value opposite each tract or parcel, and thereafter so much of this Act as requires the listing of real property by the owner or otherwise shall cease to be operative, and the listing of the same by the owner or by any other person than the county clerk shall not be required. Immediately after the assessment roll of any county has been examined, corrected and approved by the board of equalization, the county clerk shall make out and transmit to the Secretary of State, under his hand and seal, an abstract showing the true value of all property in his county as shown by such assessment roll.

Section 58. *To record assignments of mortgages:* It is hereby made the duty of the several county clerks in this State to record in the margin of the record of all mortgages on land and real property when requested so to do by the mortgagee or owner of the mortgage all assignments thereof or of the note or other evidence of debt secured thereby, and also all payments made thereon or the note or other evidence of debt secured thereby, and copies thereof certified by such clerk shall be received in evidence in all courts in this State with like effect as a certified copy of such mortgage; and all persons who shall have mortgages recorded in this State upon which partial payments have been made are hereby allowed until the first day of March of each year to cause to be recorded in the recorder's office of the proper county such payments with the dates thereof.

Section 59. *To deliver to assessor abstracts of unsatisfied instruments in his office:* It is hereby made the duty of each county clerk of this State to deliver on the first day of April in each year to the assessor of his county an abstract of all unsatisfied instruments of writing on record in his office whereby land or real property situated in his county alone is made security for the payment of any debt. Such abstract of each of such instruments shall contain the following:

- 1. The name of the person or persons who executed such instrument.
- 2. The name of the person or persons for whose benefit it was executed.
- 3. The sum that still appears secured by such instrument.
- 4. A brief description of the property contained therein, to-wit: the range, township and section in which it is situated.
- 5. The date thereof and when recorded.
- 6. The book and page where recorded.
- 7. The person or persons who appear on the record to be the owner of the security.
- 8. Such abstract shall be substantially in the following form:

Abstract of unsatisfied instruments of writing whereby land or real property is made security for the payment of debts, as appears on the record of securities of the county of _____, in the State of Oregon, for the year 18----

Name of obligor	_____
Name of obligee	_____
Sum still secured	_____ \$
Description of property; township	_____
Range _____, section _____, number of acres	_____
Date of instrument	_____
When recorded	_____, volume _____, page _____
Owner of security	_____

Section 60. *To carry out taxes on roll and deliver to treasurer, with warrant to collect taxes:* The county clerk shall, after the county court has made the levy hereinafter provided, proceed at once to carry out the tax of each property owner on the assessment roll for that year in his possession into the proper column, road tax and special levies by school districts each in separate columns from the general tax, and on or before the first Monday in October next following deliver said roll thus completed to the tax collector of the county, to which shall be attached a warrant in the name of the State of Oregon under the hand of the county clerk, and with the seal of the county court thereto attached, commanding the said tax collector to collect the taxes charged on said roll, with power to cause a levy and sale to be made of goods and chattels of the respective persons named in such roll, if necessary.

OF THE EQUALIZATION OF ASSESSMENT—COUNTY BOARD.

Section 61. *What constitutes county board:* The county judge and county commissioners of the several counties of this State shall constitute a board of equalization to examine and correct the assessment rolls of their respective counties and to increase or reduce the valuation of property assessed in the manner hereinafter provided, and not otherwise. Before the members of said board shall enter upon their duties, they shall take and subscribe the following oath:

STATE OF OREGON, }
COUNTY OF..... } ss.

I,, do solemnly swear that I will equalize all the property, both real and personal, of county, as enumerated upon the assessment roll of said county for the year 18...., and will faithfully discharge the duties of my office as a member of the county board of equalization in the manner required by law, according to the best of my judgment and discretion and without fear or favor. So help me God.

Subscribed and sworn to before me, this.....day of....., 18....

Section 62. *Meeting and duties of county board:* The county board of equalization shall meet in the room of the county court in the court house of each county on the second Monday of June of each year for the purpose of equalizing the values of all taxable property within such county. 'Two weeks' previous notice of the time and place and purpose of such meeting shall be given by the county clerk in some newspaper of general circulation in the county and by notice printed in large, plain type posted in ten or more public places in the county.

Section 63. *Board must equalize values of property:* It shall be

the duty of the said board at such meeting to examine and compare the assessment of property of the several districts of the county and proceed to equalize the same so that each tract or lot of real property and each article and class of personal property shall be entered on the assessment list at its true and full value, subject to the following rules:

1. They shall raise the valuation of each tract or lot of real property which in their opinion is returned below its true and full value to such price or sum as they believe to be the true and full value thereof.

2. They shall reduce the valuation of each tract or lot of real property which in their opinion is returned above its true and full value to such price or sum as they believe to be the true and full value thereof.

3. They shall raise the valuation of each class of personal property which in their opinion is returned below its full and true value to such price or sum as they believe to be the true and full value thereof; and they shall raise the aggregate value of the personal property of each individual whenever they believe that such aggregate valuation is less than the true valuation of the taxable personal property possessed by such individual to such sum or amount as they believe was the true and full value thereof.

4. They shall, upon the complaint of any party aggrieved, reduce the valuation of each item or class of personal property assessed to him, which in their opinion is returned above its true and full value, to such price or sum as they believe to be the true and full value thereof; and upon like complaint they shall reduce the aggregate valuation of the personal property of such individual who in their opinion has been assessed at too large a sum to such sum or amount as they believe was the true and full value of his personal property.

5. They shall correct all errors, omissions or imperfections in names, amounts or descriptions of any nature or kind.

Section 64. *Notice given before raising the valuation of any taxable property:* No increase of valuation shall be made without three days' notice be given to the owner or agent in which to appear and show cause why such increase should not be made; *provided*, such notice shall not be necessary if the person assessed appear voluntarily before the board and be there personally notified by the board or some member thereof that his property is, in the opinion of the board, assessed below its fair cash value. Said board shall complete its labors by the last day of June in each year, and after the valuation of all the property is equalized shall cause each column to be footed up, the totals of each page carried forward and a recapitula-

tion, and accurate totals of each column of the assessment roll, showing a grand total, to be made in the back of the roll. The board shall cause one certified copy of the assessment roll thus completed, under the seal of the county court, to be made on or before the twenty-fifth day of July following, and one copy shall be filed in the office of the county clerk.

Section 65. *Findings of board final, except in certain cases:* The actions and conclusions of the board in all matters pertaining to equalization of values of taxable property in its county for purposes of taxation shall be final; *provided*, that its action may be reviewed on writ of review issued out of the circuit court of the proper county, as is otherwise provided by law.

LEVY OF TAXES.

Section 66. *County levy:* For the purpose of raising a revenue for State, county and school purposes the county court of each county in the State shall, at its term in September in each year, levy a tax on all the taxable property in such county, as follows:

For State purposes, such amount as may be levied by the Governor, Secretary of State and Treasurer; for county purposes, such amount as may be necessary to defray the expenses of such county; for school purposes, the general tax levied by law for the support of schools, district; and each item of such levy shall be entered at large separately upon the records.

STATE LEVY.

Section 67. *Governor, Secretary of State and State Treasurer to estimate the amount of expenses of State government:* It shall be the duty of the Governor, Secretary of State and State Treasurer, acting jointly, in each year immediately after the receipts of the abstracts of the valuation of property from the various county clerks as provided in section 58 of this Act, to ascertain by computation as hereinafter provided the total amount of revenue necessary for State purposes; also the resulting rate of taxation in mills and decimals of a mill to be levied upon each dollar of assessment subject to taxation as provided by such abstracts, and to apportion the aforesaid total revenue among the several counties according to the amount of real and personal property subject to taxation thereon.

Section 68. The aforesaid State officers shall proceed as follows:

1. Prepare a tabular statement consisting of all items of expense given separately to which the State will be subjected the next ensuing fiscal year under existing laws; also all items of deficiency left

over from the previous year, the payment of which has been authorized by law, and also in each even year the estimated expense of one biennial session of the legislative assembly.

2. From the sum total of the aforesaid items shall be deducted any surplus in excess of five thousand dollars in the treasury from all funds however derived, if not applied by law to some special purpose; and shall also estimate and take into consideration the amount of revenue to be derived from all other sources during said fiscal year.

3. The remainder so obtained shall be the total revenue to be raised the next ensuing year for State purposes which are not provided for by special tax duly authorized by law, and such remainder shall be apportioned among the several counties according to the amount of total taxable property in each as shown by such abstract, and be levied and collected in each of said counties in the manner other taxes are levied and collected and be paid over to the State Treasurer.

Section 69. *Secretary of State must notify county board in five days and report to legislature:* The Secretary of State shall embody in his report to the legislative assembly an accurate transcript and account of the aforesaid calculations and apportionments between the biennial sessions of the legislative assembly, and he shall also transmit annually after each apportionment an accurate transcript of it to the county clerks of the several counties within five days after the adjournment of the State board, and in no case shall any deduction or abatement be made from the apportionment made to the respective counties on account of delinquent taxes.

Section 70. Inasmuch as the present assessment law is very imperfect, this Act shall take effect and be in force from and after its approval by the Governor.

MINORITY REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, February 10, 1887. }

Mr. Speaker: The undersigned, a minority of the joint committee on assessment and taxation, respectfully dissents from the majority report of such committee on house bill No. 229. I object to the provisions of such bill so far as the same provides for the payment into the State treasury of the entire amount of the taxes levied on the incomes of telephone and electric light companies. Such provision is extremely unjust, for the reason that the business of such companies is entirely confined to a few limited localities, and by the provisions of the bill a tax is raised from the people of

such localities for the benefit of a large proportion of the inhabitants of the State who in no manner contribute to such tax.

FIRST AMENDMENT.

I therefore recommend that section 52 of said bill be amended by striking out the words "Secretary of State" in the third line of such section, printed bill, and inserting in the place thereof the words "county clerk of each county."

SECOND AMENDMENT.

Strike out the words "the State of Oregon" in the fourth line of such section and insert in the place thereof the words "such county."

THIRD AMENDMENT.

Strike out the word "State" in the fifth line of such section and insert the word "county" in the place thereof.

FOURTH AMENDMENT.

Strike out the words "State Treasurer" in the third line of section 54 of said printed bill and insert in the place thereof the words "State or county treasurer, according to whom such tax is payable."

FIFTH AMENDMENT.

And strike out the words "into the State treasury and make due return of said warrant to State Treasurer," in the eleventh line of said section 54 and insert in the place thereof the following words, viz: "and make return of such warrant to the treasurer who issued it."

SIXTH AMENDMENT.

I further recommend that the words "and electric light" be inserted after each word "telephone" in the first line of section 52 of printed bill.

SEVENTH AMENDMENT.

And that the words "telephone, electric light" be stricken out of the first line of section 48, printed bill.

EIGHTH AMENDMENT.

And that the words, "and every electric light company or corporation" in the second line of section 48 of printed bill be stricken out.

W. H. HARRIS.

Mr. Harris moved the adoption of the minority report.

The house refused to adopt.

On the motion of Mr. Smith, the house adopted the majority report.

On motion of Mr. Daly, Hon. J. H. Hawley was invited within the bar.

The hour of 10 o'clock having arrived, the special order of house bill No. 163 was taken up in accord with Mr. Harrington's motion.

So house bill No. 163 was read third time, when lively discussion arose, until Mr. Munger moved the previous question, and the motion, "Shall the main question be now put?" prevailed.

The Chair stated the question—

"As many of you as are of opinion that house bill No. 163 shall pass answer aye as your names are called, and those opposed, no."

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Davis, Daly, Gard, Gay, Hale, Henry, Hansard, Hicks, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, Osborn, Pendleton, Richardson, Swank, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—41.

Nays—Messrs. Benjamin, Crook, Crockett, Gubser, Goodsell, Harris, Lafollett of Yamhill, McCully, Pomeroy, Palmer, Paulsen, Roberts, Summers, Smith, Thompson—15.

Absent—Messrs. Holland, Little, Noyer, Stafford—4.

So house bill No. 163 passed and the title of the bill stood for the title of the Act.

On Mr. Paulsen's motion senate bill No. 37 was referred to committee on printing.

Subsequently Mr. Paulsen requested to be allowed to report at any time on senate bill No. 37.

There being no objection it was so ordered.

The consideration of house bill No. 241 now came in order.

House bill No. 241 was read third time.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Gard, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Maxwell, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Richardson, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—51.

Nays—None.

Absent—Messrs. Daly, Gubser, Harris, Little, Mayer, Miller of Jackson, Roberts, Stafford, Swank—9.

So house bill No. 241 passed and the title of the bill stood for the title of the Act.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 14, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed house bill No. 204, being a bill for an Act to divide office of county clerk of Multnomah county.

And the same is herewith transmitted for enrollment.

E. G. HURSH,
Chief Clerk.

And the bill was ordered enrolled.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 14, 1887. }

Mr. Speaker: I am directed by the President to inform you that he has signed house bill No. 18.

And the same is herewith transmitted to you.

E. G. HURSH,
Chief Clerk.

And the same was ordered to the Governor.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 14, 1887. }

Mr. Speaker: I am directed by the President to inform you that he has signed house bill No. 109.

And the same is herewith transmitted to you.

E. G. HURSH,
Chief Clerk.

And the same was ordered to the Governor.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 14, 1887. }

Mr. Speaker: I am directed by the President to inform you that he has signed house bill No. 123.

And the same is herewith transmitted to you.

E. G. HURSH,
Chief Clerk.

And the same was ordered to the Governor.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 14, 1887. }

Mr. Speaker: I am directed by the President to inform you that he has signed house bill No. 149.

And the same is herewith transmitted to you.

E. G. HURSH,
Chief Clerk.

And the same was ordered to the Governor.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 14, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed house bill No. 66, being a bill for an Act to create the county of Malheur in the State of Oregon, with the amendments thereto attached.

And the same is herewith transmitted for the consideration of the house.

E. G. HURSH,
Chief Clerk.

FIRST AMENDMENT.

Amend section 10, line 4 of printed bill after the word "county" by striking out the names of J. L. Cole and E. P. Perkins and inserting in lieu thereof the names of M. D. Wisdom and L. D. Ison.

SECOND AMENDMENT.

Amend section 10, line 27 of printed bill after the words "clerk of" by striking out the word "either"; also in same section and line strike out the words "or Malheur" after the word "Baker."

THIRD AMENDMENT.

Amend section 11, line 4 of printed bill after the words "clerk of" by striking out the word "Malheur" and inserting in lieu thereof the word "Baker."

FOURTH AMENDMENT.

Amend section 13, line 2 of printed bill by striking out the words "its approval by the Governor," inserting in lieu thereof the words "the first day of April, 1887."

GEO. CHANDLER,
Chairman.

Mr. Holland moved to concur in the senate amendments.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Mayer, Maxwell, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Swank, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—52.

Nays—None.

Absent—Messrs. Blundell, Gubser, Harris, Little, Miller of Jackson, Osborn, Stafford, Summers—8.

So the house concurred in the senate amendments to house bill No. 66.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, February 14, 1887. }

Mr. Speaker: I am directed by the President to inform you that senate bill No. 135 has been reported correctly enrolled.

And the same is herewith transmitted to you for your signature.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, February 14, 1887. }

Mr. Speaker: I am directed by the President to inform you that senate bill No. 90 has been reported correctly enrolled.

And the same is herewith transmitted to you for your signature.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, February 14, 1887. }

Mr. Speaker: I am directed by the President to inform you that senate bill No. 102 has been reported as correctly enrolled.

And the same is herewith transmitted to you for your signature.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, February 14, 1887. }

Mr. Speaker: I am directed by the President to inform you that senate bill No. 153 has been reported correctly enrolled.

And the same is herewith transmitted to you for your signature.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, February 14, 1887. }

Mr. Speaker: I am directed by the President to inform you that senate bill No. 156 has been reported correctly enrolled.

And the same is herewith transmitted to you for your signature.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, February 15, 1887. }

Mr. Speaker: I am directed by the President to inform you that senate bill No. 163 has been reported correctly enrolled.

And the same is herewith transmitted to you for your signature.

E. G. HURSH,
Chief Clerk.

The Chair announced that he was about to sign senate bills Nos. 135, 102, 156, 90, 153 and 163 and subsequently that he had signed them.

Mr. Mayer asked that senate bill No. 164 be now taken up and considered, but Mr. Munger objected.

House bill No. 224 read third time.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Gubser, Goodsell, Gay, Henry, Hicks, Harrington, Holmes, Haley, Lafollett of Marion, Layman, Mitchell, McLean, Munger, McKenzie, Mackay, Pomeroy, Palmer, Pendleton, Richardson, Swank, Summers, Smith, Taylor, Wilson, Wilcox, Mr. Speaker—33.

Nays—Messrs. Davis, Daly, Gard, Holland, Hale, Hansard, Johnson, Kruse, Lockett, Lafollett of Yamhill, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, McCully, Noyer, Roberts, Thompson, Vanderpool—21.

Absent—Messrs. Benjamin, Blundell, Harris, Osborn, Paulsen, Stafford—6.

So house bill No. 224 passed and the title of the bill stood for the title of the Act.

On motion of Mr. Taylor, house bill No. 135 was read third time.

"Shall the bill pass?"

On this question the roll was called and the vote was :

Those voting aye were:

Messrs. Benjamin, Bilyeu, Biggs, Crook, Culver, Gay, Holland, Harrington, Holmes, Lockett, Lafollett of Yamhill, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Mitchell, McLean, Munger, Roberts, Taylor, Wilson, Wilcox—23.

Nays—Messrs. Blundell, Blevins, Davis, Daly, Gard, Gubser, Goodsell, Hale, Henry, Hansard, Hicks, Harris, Haley, Johnson, Kruse, Lafollett of Marion, Layman, Miller of Linn, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Richardson, Summers, Smith, Thompson, Vanderpool, Mr. Speaker—33.

Absent—Messrs. Bowditch, Crockett, Stafford, Swank—4.

So house bill No. 135 failed to pass.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 14, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed senate bill No. 59, being a bill for an Act to increase the efficiency of our common schools.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

And the bill was read first time.

MESSAGE FROM THE GOVERNOR.

STATE OF OREGON,
EXECUTIVE DEPARTMENT,
SALEM, February 15, 1887. }

To the Honorable the Speaker of the House:

I am directed by the Governor to inform you that he has signed the following bills:

HOUSE BILL NO. 87.

An Act to provide for the publication of a report of the county finances.

HOUSE BILL NO. 233.

An Act to amend an Act entitled "An Act to change the name of the town of Alkali and incorporate the same."

HOUSE BILL NO. 254.

An Act to provide county commissioners for Columbia county, State of Oregon.

HOUSE BILL NO. 248.

An Act for the relief for school district No. forty-seven (47), Linn county, Oregon.

HOUSE BILL NO. 12.

An Act to provide for the times and places for holding the circuit courts in the first judicial district.

SENATE BILL NO. 151.

An Act to amend an Act entitled "An Act to amend an Act to incorporate the town of Oakland," approved October 19, 1880.

SENATE BILL NO. 152.

An Act to amend an Act entitled "An Act to incorporate the town of Jacksonville, Oregon."

SENATE BILL NO. 17.

An Act to amend section 6, chapter 49 of the general laws of Oregon, compiled by Matthew P. Deady and Lafayette Lane.

SENATE BILL NO. 16.

An Act to amend an Act entitled "An Act to incorporate the town of Prineville, Wasco (now Crook) county, Oregon," approved October 23, 1880; to repeal all Acts or parts of Acts in conflict therewith.

SENATE BILL NO. 84.

An Act to amend sections 2, 34, 62, 63, 64, 65, 67 (66), 68, 69, 72, 73, 85, 86 and 94 of an Act entitled "An Act to incorporate the city of Albany," and repeal an Act entitled "An Act to incorporate the city of Albany," approved October 24, 1864, and an Act entitled "An Act to amend an Act entitled 'An Act to incorporate the city of Albany,'" approved October 26, 1870, and also an Act entitled "An Act to amend an Act entitled 'An Act to incorporate the city of Albany,' approved October 24, 1864," approved October 18, 1878, and also an Act entitled "An Act to amend an Act entitled 'An Act to incorporate the city of Albany,' approved October 24, 1864," approved October 25, 1880, February 11, 1885.

And the same have been filed this day in the office of Secretary of State.

WM. A. MUNLY,
Private Secretary.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 14, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed senate bill No. 98, being a bill for an Act to amend an Act entitled an Act to amend section 4 of title 1, chapter 50 of the miscellaneous laws of Oregon.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

And the bill was read first time.

Mr. Benjamin moved to suspend the rules and read senate bill No. 59 second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Pomeroy, Palmer, Paulsen, Roberts, Richardson, Swank, Summers, Smith, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—53.

Nays—None.

Absent—Messrs. Daly, Haley, Noyer, Osborn, Pendleton, Stafford, Thompson—7.

So the rules were suspended and senate bill No. 59 was read second time by title.

Mr. Benjamin moved to further suspend the rules and put senate bill No. 59 on its final passage now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Culver, Crockett, Davis, Gard, Gubser, Goodsell, Hale, Henry, Hansard, Harris, Kruse, Lockett, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, McLean, McKenzie, Mackay, McCully, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Swank, Summers, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—43.

Nays—Messrs. Crook, Daly, Harrington, Holmes, Haley, Johnson, Mitchell, Munger, Noyer, Smith—10.

Absent—Messrs. Gay, Holland, Hicks, Lafollett of Marion, Osborn, Stafford, Thompson—7.

So the rules were suspended and senate bill No. 59 read third time.

“Shall the bill pass?”

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bilyeu, Biggs, Culver, Crockett, Davis, Gard, Gubser, Goodsell, Gay, Henry, Hicks, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Miller of Linn, McLean, Munger, McKenzie, Pomeroy, Palmer, Pendleton, Paulsen, Richardson, Summers, Smith, Taylor, Wilson, Mr. Speaker—34.

Nays—Messrs. Bowditch, Blevins, Crook, Daly, Holland, Hale, Hansard, Harris, Harrington, Holmes, Haley, Johnson, Mayer, Maxwell, Miller of Jackson, Mitchell, Mackay, McCully, Noyer, Osborn, Roberts, Swank, Thompson, Vanderpool—24.

Absent—Messrs. Stafford, Wilcox—2.

So senate bill No. 59 passed.

On motion of Mr. R. A. Miller, the house adjourned.

AFTERNOON SESSION.

House called to order at 1:30 P. M., the Speaker in the chair.

The roll was called and the absent were Messrs. Benjamin, Culver, Gubser, Goodsell, Holland, Harrington, Mayer, Maxwell, R. A. Miller, Noyer, Pendleton, Stafford, Wilson.

Messrs. Benjamin and Mayer were absent on leave.

By unanimous consent the joint committee on penitentiary reported as follows:

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 14, 1887. }

To the Honorable Legislative Assembly of the State of Oregon, in Salem assembled:

We, your committee to whom was referred house concurrent resolution No. 17, to examine and report upon the condition and management of the penitentiary, respectfully submit the following:

We have examined all books and accounts of the aforesaid institution for the whole term included in the superintendent's biennial report, together with all vouchers drawn and all items in the invoice bills for which said vouchers were issued. We find the items purchased in all departments to have been uniform and reasonable both as to prices and quantities.

We find the superintendent's report substantially correct as published.

We found the books and accounts neatly and correctly kept. While the food provided is ample and wholesome it is not extravagant; and we find the general management of the prison to be conducted upon an economical basis and a credit to the administration.

We would respectfully submit the following recommendation:

First—We find a lack of protection against fire, and would recommend that the State provide hydrants and hose, to cost not to exceed \$1,500.

Second—We would recommend that a wing be built on the south end of the prison, the upper story to be fitted up for a hospital ward and the lower part for an eating room.

Third—We would further recommend that the present system of feeding prisoners in their cells be abolished and meals to be taken in an eating room.

We have examined into the charges preferred against Superin-

tendent Collins by one E. C. Cross, and published in the Daily Statesman of the 4th inst., and after a careful examination find no evidence to sustain said charges.

All of which is respectfully submitted by your joint committee.

O. SUMMERS,
I. H. HOLLAND,
H. McKENZIE,

Committee on the part of the House.

J. B. LOONEY,
J. H. HAMILTON,

Committee on the part of the Senate.

On motion of Mr. Summers, the report was adopted.

Mr. Mayer was excused till to-morrow morning.

On motion of Mr. Hale, it was ordered that when the house adjourn it adjourn to meet at 7 P. M. to consider house bill No. 229 on assessment and taxation.

Mr. McLean moved to suspend the rules and take up and read house bill No. 268 by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blundell, Bowditch, Bilyeu, Blevins, Culver, Crockett, Davis, Daly, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Yamhill, Layman, Laughlin, Little, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Osborn, Pomeroy, Palmer, Paulsen, Roberts, Richardson, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—46.

Nays—None.

Absent—Messrs. Benjamin, Biggs, Crook, Gard, Gubser, Harrington, Lafollett of Marion, Mayer, Maxwell, Noyer, Pendleton, Stafford, Swank, Summers—14.

So the rules were suspended and house bill No. 268 was read second time by title.

Mr. Goodsell moved to strike out in section 9 the \$8,000 and insert in lieu thereof \$2,000.

Mr. Munger moved to amend the amendment by insertion of \$5,000.

Lost.

The amendment was also lost.

The question recurring on Mr. Goodsell's motion, was carried, and the change was made in the bill.

Mr. Munger moved to further amend section 8 by striking out \$1,800 and inserting \$1,200.

Carried.

Mr. Munger moved to further amend by striking out in line 5, section 8, \$1,200.

Pending the question, Mr. Daly moved house bill No. 268 be referred to a special committee of three to report at the evening session immediately after the consideration of house bill No. 229.

Carried.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, February 14, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed senate bill No. 108, being a bill for an Act to amend section 1,003 of title 1 of chapter 14 of the civil code of Oregon.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Senate bill No. 108 was read first time.

Two o'clock P. M. having arrived, the special order, reconsideration of house bill No. 193 was called for.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Kruse, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, Munger, McKenzie, McCully, Noyer, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—47.

Nays—Messrs. Goodsell, Harrington, Johnson, Lockett, Mackay, Osborn, Summers—7.

Absent—Messrs. Holmes, Haley, Mayer, McLean, Stafford, Swank—6.

So house bill No. 193 passed and the title of the bill stood for the title of the Act.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, February 15, 1887. }

Mr. Speaker: Your committee on engrossed bills, to whom was

referred house bill No. 244, beg leave to report the same back to the house as correctly engrossed.

J. H. ROBERTS,
Chairman.

So the Chair appointed as special committee on house bill No. 268 Messrs. Daly, Harrington and McLean.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 14, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed senate bill No. 111, being a bill for an Act to amend section 6, title 1, chapter 18 of the civil code.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Senate bill No. 111 was read first time and passed to second reading without a question.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 14, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed senate bill No. 77, being a bill for an Act to prevent the false labeling and branding of fish.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Senate bill No. 77 was read first time and passed to second reading without a question.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 14, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed senate bill No. 113, being a bill for an Act to create the office of county recorder and prescribing his duties thereof.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Mr. Bilyeu moved to suspend the rules and read senate bill No. 113 first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blundell, Bilyeu, Biggs, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Maxwell, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Richardson, Swank, Summers, Smith, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—51.

Nays—None.

Absent—Messrs. Benjamin, Bowditch, Crook, Hale, Mayer, Miller of Jackson, Roberts, Stafford, Thompson—9.

So the rules were suspended and senate bill No. 113 read first time by title only.

Mr. Paulsen moved to suspend the rules further and read second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Crockett, Davis, Gard, Gubser, Goodsell, Gay, Holland, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Miller of Linn, Mitchell, McLean, Munger, Mackay, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Richardson, Swank, Summers, Smith, Vanderpool, Wilson, Wilcox, Mr. Speaker—48.

Nays—None.

Absent—Messrs. Crook, Daly, Hale, Lafollett of Marion, Maxwell, Miller of Jackson, McKenzie, McCully, Roberts, Stafford, Thompson, Taylor—12.

So the rules were suspended and senate bill No. 113 read second time by title.

Mr. Harrington moved to refer senate bill No. 113 to committee on judiciary with leave to report at any time.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Henry, Han-

sard, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Maxwell, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Richardson, Stafford, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—49.

Nays—Messrs. Benjamin, Little—2.

Absent—Messrs. Crook, Crockett, Henry, Harris, Mayer, Miller of Jackson, McCully, Roberts, Stafford—9.

So senate bill No. 113 was referred to committee on judiciary, with leave to report at any time.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 15, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed senate bill No. 131, being a bill for an Act to authorize the Secretary of State to purchase portraits of the Governors of the State.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Senate bill No. 131 was read first time.

Mr. Goodsell moved to suspend the rules and read senate bill No. 131 second time now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bilyeu, Biggs, Blevins, Culver, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Henry, Hicks, Harris, Harrington, Holmes, Lockett, Layman, Laughlin, Little, Maxwell, Miller of Linn, Mitchell, McLean, Munger, Mackay, McCully, Palmer, Richardson, Wilson, Wilcox, Mr. Speaker—34.

Nays—Messrs. Bowditch, Hansard, Haley, Johnson, Kruse, Lafollett of Marion, Lafollett of Yamhill, McKenzie, Noyer, Osborn, Pomeroy, Pendleton, Paulsen, Swank, Summers, Smith, Thompson, Taylor, Vanderpool—19.

Absent—Messrs. Crook, Crockett, Hale, Mayer, Miller of Jackson, Roberts, Stafford—7.

So the house refused to suspend the rules, and senate bill No. 131 passed to second reading.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 15, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed senate bill No. 115, being a bill for an Act to provide a more efficient method for the collection of delinquent taxes.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Mr. Munger moved to suspend the rules and read senate bill No. 115 first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Henry, Hansard, Hicks, Harris, Holmes, Haley, Johnson Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Maxwell, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Richardson, Swank, Suminers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—52.

Nays—None.

Absent—Messrs. Crook, Crockett, Hale, Harrington, Mayer, Miller of Jackson, Roberts, Stafford—8.

So the rules were suspended and senate bill No. 115 was read first time by title only and passed to a second reading without question.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 15, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed senate bill No. 69, being a bill for an Act to amend sections 16 and 17 of title 3 of chapter 31 of the miscellaneous laws.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Senate bill No. 69 was read first time and passed to second reading without question.

Mr. Biggs moved to suspend the rules and read senate bill No. 165 second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Crook, Culver, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Hicks, Harris, Holmes, Kruse, Lafollett of Marion, Layman, Laughlin, Maxwell, Miller of Jackson, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—45.

Nays—Messrs. Blevins, Davis, Henry, Hansard, Haley, Johnson, Lockett, Lafollett of Yamhill, Little, Miller of Linn, Swank—11.

Absent—Messrs. Crockett, Harrington, Mayer, Stafford—4.

So the rules were suspended and senate bill No. 165 was read second time by title only and on motion of Mr. Biggs was set for special order Wednesday at 11 A. M.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 15, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed senate bill No. 91, being a bill for an Act to prevent the spread of contagious animal diseases.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Mr. Daly moved to suspend the rules and read senate bill No. 91 first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Richardson, Swank, Summers, Smith, Thompson, Taylor, Wilson, Wilcox, Mr. Speaker—52.

Nays—None.

Absent—Messrs. Crook, Crockett, Harrington, Mayer, Maxwell, Roberts, Stafford, Vanderpool—8.

So the rules were suspended and senate bill No. 91 was read first time by title only.

Mr. Roberts offered and Mr. Mitchell moved the adoption of the following amendment to senate bill No. 165:

AMENDMENT.

Mr. Roberts—Mr. Speaker: I move to amend this bill by striking out of line 9 of section 3 of the printed bill the word "Josephine," and to further amend by striking out of line 25 of printed bill, same section, the words "Clackamas and Marion," and inserting in lieu thereof the words "Josephine and Jackson."

On the question of the amendments the roll was called and the vote was:

Those voting aye were:

Messrs. Bilyeu, Blevins, Crook, Davis, Hale, Henry, Hansard, Holmes, Haley, Johnson, Lafollett of Yamhill, Miller of Jackson, Miller of Linn, Mitchell, Munger, McKenzie, Noyer, Pomeroy, Palmer, Roberts, Richardson, Swank, Summers, Thompson, Taylor, Vanderpool—26.

Nays—Messrs. Benjamin, Blundell, Bowditch, Biggs, Culver, Crockett, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hicks, Harris, Harrington, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Little, Maxwell, McLean, Mackay, McCully, Osborn, Pendleton, Paulsen, Smith, Wilson, Wilcox, Mr. Speaker—32.

Absent—Messrs. Mayer, Stafford—2.

So Mr. Roberts' proposed amendment to senate bill No. 165 failed of adoption.

Mr. Laughlin offered and moved the adoption of the following amendment to senate bill No. 165:

AMENDMENT.

I move to amend senate bill No. 165 in lines 25 and 26 of section 3 so as to read as follows: "The counties of Yamhill and Marion shall constitute the thirteenth senatorial district and shall be entitled to one Senator jointly;" also to amend section 5 of said bill in line 3 after the word "viz.:" "Senator-elect M. L. Chamberlin of Marion county shall be the Senator for the new district of Yamhill and Marion."

On the question of adoption the roll was called and the vote was:
Those voting aye were:

Messrs. Lafollett of Yamhill, Laughlin, Little, Noyer—4.

Nays—Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs,

Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Layman, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Swank, Summers, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—51.

Absent—Messrs. Henry, Mayer, Maxwell, Stafford, Smith—5.

So the house refused to amend.

MESSAGE FROM THE GOVERNOR.

STATE OF OREGON,
EXECUTIVE DEPARTMENT,
SALEM, February 15, 1887. }

To the Honorable the Senate and House of Representatives of the State of Oregon:

I herewith enclose to you a letter from Henry Failing, a member of the constitutional centennial commission, dated at New York the 27th ultimo, enclosing a letter from Hampton L. Carson, secretary of such commission, and also a printed copy of the proceedings of the convention of Governors of the thirteen colonial States, all of which have reference to the proposed celebration on the 17th of September next at Philadelphia of the centennial anniversary of the framing and promulgation of the Federal constitution. It is highly probable that all of the States will make preparation for having themselves represented at such celebration, and I therefore lay the before-mentioned documents before you for your consideration. A copy of the communication and the accompanying documents have been transmitted to your co-ordinate hand.

SYLVESTER PENNOYER,
Governor.

NEW YORK, January 27, 1887.

To His Excellency Sylvester Pennoyer, Governor of the State of Oregon, Salem, Oregon:

SIR: In November last Governor Moody did me the honor of appointing me a member of the "constitutional centennial commission," and I attended a meeting of said commission at Philadelphia on December 2d last, held in accordance with the recommendation of the "Governors of the thirteen colonial States." I now beg to herewith enclose a letter addressed to me by the secretary of the

commission dated January 7, mailed to my address at Portland on the 12th and re-mailed to me here.

The printed copies referred to in Mr. Carson's letter are, I presume, in Portland, and I have requested that they be mailed to your address, feeling assured that they can better be distributed from your office than in any other way.

I have to request that you will consider this with the "printed copies" referred to as a report provided for in the resolutions of the commission, and also to request that you will take such steps as you may think expedient during the present session of the legislative session in enlisting public interest in the programme adopted.

I am, very respectfully, your obedient servant,
(Signed) HENRY FAILING,

PHILADELPHIA, January 7, 1887.

Hon. Henry Failing:

DEAR SIR: I have the honor to send you by express printed copies of the proceedings of the convention of Governors of the thirteen colonial States held at Philadelphia September 17, 1886, with the proceedings of the constitutional centennial commission held December 2 and 3, 1886, at Philadelphia; also copies of the memorial to congress presented by the executive committee of the sub-commission.

Should you need further copies be kind enough to write to me.

Allow me to call your attention to the resolution upon page seventeen which provides that the commission should be requested to report at once to the Governors of the States and Territories which they represent the action of the convention and ask the prompt and earnest co-operation of the States and Territories in carrying out the programme adopted.

I rely upon you to distribute these copies in the most effective manner in order that State pride and interest may be aroused and the matter called particularly to the attention of your State legislature through the Governor.

Believe me to be very respectfully and sincerely yours,
(Signed) HAMPTON L. CARSON,
Secretary.

By consent, Mr. Roberts called up house bill No. 50, and the bill was read third time.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Bowditch, Bilyeu, Crook, Culver, Crockett, Davis, Gard, Goodsell, Gay, Holland, Hicks, Harris, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Little, Maxwell, Mitchell, McLean, McKenzie, Mackay, McCully, Pomeroy, Pendleton, Roberts, Summers, Taylor, Wilson, Wilcox, Mr. Speaker—33.

Nays—Messrs. Blevins, Daly, Hale, Henry, Hansard, Holmes, Haley, Miller of Linn, Palmer, Paulsen, Richardson, Swank, Smith, Thompson, Vanderpool—15.

Absent—Messrs. Blundell, Biggs, Gubser, Harrington, Johnson, Lafollett of Yamhill, Mayer, Miller of Jackson, Munger, Noyer, Osborn, Stafford—12.

So house bill No. 50 passed and the title of the bill stood for the title of the Act.

Mr. Paulsen was called to the chair.

By consent, at the request of Mr. Crook, house bill No. 129 was read third time and put on final passage.

“Shall the bill pass?”

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bowditch, Crook, Crockett, Davis, Gard, Goodsell, Gay, Holland, Harris, Johnson, Lockett, Maxwell, Mitchell, Mackay, McCully, Noyer, Roberts, Taylor—18.

Nays—Messrs. Benjamin, Blevins, Culver, Gubser, Hale, Henry, Hansard, Hicks, Holmes, Haley, Kruse, Layman, Laughlin, Miller of Linn, McLean, Munger, Osborn, Palmer, Pendleton, Paulsen, Richardson, Swank, Smith, Thompson—24.

Absent—Messrs. Blundell, Bilyeu, Biggs, Daly, Harrington, Lafollett of Marion, Lafollett of Yamhill, Little, Mayer, Miller of Jackson, McKenzie, Pomeroy, Stafford, Summers, Vanderpool, Wilson, Wilcox, Mr. Speaker—18.

So house bill No. 129 failed to pass.

Mr. Noyer by consent offered house joint resolution No. 13, as follows, and moved its adoption:

HOUSE JOINT RESOLUTION NO. 13.

Be it resolved by the House, the Senate concurring:

That the following amendments to the constitution of the State of Oregon be and hereby is proposed:

AMENDMENTS.

That section 29 of article 4 of the constitution of the State of Oregon be and the same is hereby abrogated and in lieu thereof section 29 of article 4 of the constitution of the State of Oregon shall be as follows:

Section 29. The members of the legislative assembly shall receive for their services a sum not exceeding five dollars a day from the commencement of the session, but such pay shall not exceed in the aggregate three hundred dollars for per diem allowance for any one session. When convened in extra session by the Governor they shall receive five dollars per day, but no extra session shall continue for a longer period than thirty days.

They shall also receive the sum of three dollars for every twenty miles they shall travel in going to and returning from their place of meeting on the most usual route. The presiding officers of the assembly shall in virtue of their office receive an additional compensation equal to three-fifths of their per diem allowance as members.

On the question to adopt house joint resolution No. 13 the roll was called and the vote was:

Those voting aye were:

Messrs. Crook, Culver, Gubser, Hicks, Holmes, Johnson, Lockett, Layman, Laughlin, Maxwell, Miller of Jackson, Mitchell, McLean, Munger, Noyer, Pendleton, Paulsen, Roberts, Taylor—19.

Nays—Messrs. Benjamin, Bowditch, Blevins, Davis, Daly, Gard, Hale, Henry, Hansard, Haley, Kruse, Lafollett of Marion, Little, Miller of Linn, McKenzie, McCully, Palmer, Richardson, Swank, Smith, Thompson, Vanderpool, Wilson—23.

Absent—Messrs. Blundell, Bilyeu, Biggs, Crockett, Goodsell, Gay, Holland, Harris, Harrington, Lafollett of Yamhill, Mayer, Mackay, Osborn, Pomeroy, Stafford, Summers, Wilcox, Mr. Speaker—18.

So the house refused to adopt house joint resolution No. 13.

By consent, at the request of Mr. R. A. Miller, house bill No. 200 was read third time.

“Shall the bill pass?”

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bowditch, Bilyeu, Biggs, Blevins, Crockett, Davis, Daly, Holland, Hale, Johnson, Kruse, Layman, Little, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, McKenzie, McCully, Palmer, Pendleton, Paulsen, Roberts, Thompson, Wilson, Wilcox, Mr. Speaker—28.

Nays—Messrs. Benjamin, Culver, Gard, Gubser, Hansard, Hicks,

Holmes, Haley, Lockett, Lafollett of Marion, Laughlin, Munger, Noyer, Richardson, Swank, Smith, Taylor, Vanderpool—18.

Absent—Messrs. Blundell, Crook, Goodsell, Gay, Henry, Harris, Harrington, Lafollett of Yamhill, Mayer, Mackay, Osborn, Pomeroy, Stafford, Summers—14.

So house bill No. 200 failed to pass.

House bill No. 85 was read third time.

“Shall the bill pass?”

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Holland, Hale, Hicks, Harris, Holmes, Kruse, Lockett, Lafollett of Yamhill, Layman, Laughlin, Maxwell, Miller of Jackson, Mitchell, McLean, Munger, McKenzie, McCully, Noyer, Osborn, Pomeroy, Pendleton, Paulsen, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—40.

Nays—Messrs. Henry, Hansard, Haley, Johnson, Little, Miller of Linn, Palmer, Richardson, Swank—9.

Absent—Messrs. Benjamin, Crook, Goodsell, Gay, Harrington, Lafollett of Marion, Mayer, Mackay, Roberts, Stafford, Summers—11.

So house bill No. 85 passed and the title of the bill stood for the title of the Act.

Speaker in the chair.

By consent, at the request of Mr. Mitchell, senate bill No. 137 was taken up and read third time.

Mr. Mitchell and Mr. Daly demanded a call of the house.

The Chair ordered the absentees noted by the clerk.

Those absent were:

Benjamin, Daly, Goodsell, Holland, Harris, Harrington, Little, Mayer (excused), Maxwell, Mackay, Noyer, Paulsen, Roberts, Stafford (excused), Thompson—15.

The Sergeant-at-Arms was instructed to bring in the absentees.

While he was absent Mr. Bilyeu moved to adjourn and the motion was lost.

The Sergeant-at-Arms presented at the bar of the house Messrs. Noyer, Maxwell, Harris, Daly, Mackay, Roberts, Little and Goodsell, who were noted present.

On motion of Mr. Biggs, further proceedings under the call of the house were dispensed with.

“Shall senate bill No. 137 pass?”

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crock-

ett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Richardson, Swank, Summers, Smith, Taylor, Wilson, Wilcox, Mr. Speaker—51.

Nays—Messrs. Blundell, McKenzie, Roberts, Vanderpool—4.

Absent—Messrs. Benjamin, Mayer, Paulsen, Stafford, Thompson—5.

So senate bill No. 137 passed.

On motion of Mr. Daly, the house adjourned.

————— EVENING SESSION.

House called to order at 7:30 o'clock P. M., Speaker Gregg in the chair.

The roll was called and those absent were Messrs. Gubser, Hale, Charles Lafollett, Mayer, McLean, Mackay, Pendleton, Roberts, Stafford, Summers and Wilcox.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, February 15, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed house bill No. 145, being a bill for an Act to amend an Act to prevent deception in sales of dairy products, approved February 25, 1885, with the amendments herewith attached to said bill.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

AMENDMENT.

Strike out all in section 3 after the words "for sale" in the fiftieth line of original bill as follows, to-wit: And every such package, print or roll sold or offered for sale shall contain one-half pound or

some multiple thereof and no package shall be sold or offered for sale which contains any fractional portion of one-half pound.

Mr. Paulsen moved the adoption of senate amendments to house bill No. 145.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Gay, Holland, Henry, Hansard, Hicks, Harrington, Holmes, Haley, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Little, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Richardson, Swank, Smith, Taylor, Vanderpool, Wilson, Mr. Speaker—47.

Nays—Mr. Thompson—1.

Absent—Messrs. Benjamin, Goodsell, Hale, Harris, Johnson, Lafollett of Yamhill, Mayer, McLean, Roberts, Stafford, Summers, Wilcox—12.

So the senate amendment to house bill No. 145 was adopted and the bill was ordered enrolled.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 15, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed senate bill No. 180, being a bill for an Act to provide an additional circuit judge for the sixth judicial district.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Senate bill No. 180 read first time.

Mr. Bilyeu moved to suspend the rules and read the bill second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Richardson, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—51.

Nays—None.

Absent—Messrs. Hale, Little, Lafollett of Yamhill, Mayer, Roberts, Stafford, Swank, Summers, Smith—9.

So the rules were suspended and senate bill No. 180 was read second time by title only.

Mr. Bilyeu moved to further suspend the rules and read the bill third time and put upon passage now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Gay, Holland, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Johnson, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Little, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Richardson, Stafford, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—51.

Nays—None.

Absent—Messrs. Goodsell, Hale, Haley, Lafollett of Yamhill, Mayer, Roberts, Stafford, Swank, Summers—9.

So the rules were suspended and senate bill No. 180 was read third time.

“Shall the bill pass?”

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lafollett of Marion, Layman, Laughlin, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Richardson, Swank, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—52.

Nays—None.

Absent—Messrs. Hale, Lockett, Lafollett of Yamhill, Little, Mayer, Roberts, Stafford, Summers—8.

So senate bill No. 180 passed.

Committee on printing, with leave to report at any time, reported as follows:

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, February 15, 1887. }

Mr. Speaker: Your committee on printing to whom was referred

senate bill No. 37, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendments:

FIRST AMENDMENT.

Strike out in section 1, line 2 of printed bill the words "and published."

SECOND AMENDMENT.

Strike out in section 4, line 6 of printed bill the words "and bind."

THIRD AMENDMENT.

Strike out in section 5, line 1 of printed bill the words "and bind."

FOURTH AMENDMENT.

Insert in section 5, line 5 of printed bill after the word "volume" the words "the binding of said volume shall be done under the direction and supervision of the Secretary of State."

THOMAS PAULSEN,
Chairman.

Amendment to senate bill No. 37 adopted on motion of Mr. Paulsen.

Amended house bill No. 229 was read third time.

"Shall the bill pass?"

The bill was discussed until Mr. Noyer moved the previous question.

The Chair announced, "Shall the question be now put?"

The motion prevailed.

The Chair then announced, "As many as are of the opinion that the bill shall pass answer aye as your names are called, contrary no."

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bowditch, Bilyeu, Biggs, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Hale, Henry, Hansard, Hicks, Holmes, Haley, Kruse, Lafollett of Marion, Layman, Laughlin, Little, Miller of Linn, Mitchell, McLean, Munger, McCully, Noyer, Pendleton, Paulsen, Roberts, Stafford, Summers, Smith, Thompson, Taylor, Wilson, Wilcox, Mr. Speaker—38.

Nays—Messrs. Blundell, Crook, Goodsell, Gay, Harris, Johnson, Lockett, Maxwell, McKenzie, Mackay, Osborn, Pomeroy, Palmer, Richardson, Swank, Vanderpool—16.

Absent—Messrs. Benjamin, Holland, Harrington, Lafollett of Yamhill, Mayer, Miller of Jackson—6.

So house bill No. 229 passed.

Mr. Thompson moved to amend the title by substituting the following:

AMENDMENT.

“House bill No. 229, for an Act to provide for the assessment, levy and collection of taxes, listing property for taxation; providing for the appointment of district assessors and defining their duties, and for other purposes.”

Mr. Daly, from special committee on house bill No. 268, made the following

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 15, 1887. }

Mr. Speaker: Your committee, specially appointed, to whom was referred house bill No. 268, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass as amended, the said proposed amendments being attached hereto.

JOHN J. DALY,
Chairman.

FIRST AMENDMENT.

In section 8 strike out the words “one thousand eight hundred” and insert “one thousand two hundred dollars.” In same section strike out the words “one thousand two hundred” and insert “eight hundred dollars.”

SECOND AMENDMENT.

In section 9 strike out the words “eight thousand” and insert the words “six thousand dollars.”

And the amendments were adopted, on motion of Mr. Daly, and the bill ordered engrossed.

The house adjourned, on the motion of Mr. Wilson.

WEDNESDAY, FEBRUARY 16, 1887.

MORNING SESSION.

HOUSE OF REPRESENTATIVES,
SALEM, February 16, 1887. }

House called to order at 7:30 P. M. by the Speaker in the chair.

Prayer by Rev. J. W. Miller of Roseburg.

Roll called and those absent were Messrs. Benjamin, Bowditch, Davis, Gubser, Goodsell, Johnson, R. A. Miller, Noyer, Pendleton, Summers.

Mr. Paulsen moved to recall from the senate and reconsider house bill No. 72.

Mr. Harrington was called to the chair in order that Speaker Gregg might speak to the motion.

The bill he said passed through with a very objectionable feature in it by an oversight, but he was assured by the chairman of senate committee on education that the bill would be corrected there, and opposed the motion on the ground that if reconsidered the bill would not have time to get through this session.

Shall the vote by which house bill No. 72 passed be reconsidered?

On this question the roll was called and the vote was :

Those voting aye were:

Messrs. Biggs, Holmes, Munger, McCully, Paulsen, Richardson, Stafford, Swank, Taylor, Vanderpool, Wilcox—11.

Nays—Messrs. Blundell, Bowditch, Bilyeu, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Linn, Mitchell, McLean, McKenzie, Mackay, Osborn, Pomeroy, Palmer, Roberts, Smith, Thompson, Wilson, Mr. Speaker—44.

Absent—Messrs. Benjamin, Miller of Jackson, Noyer, Pendleton, Summers—5.

So the house refused to reconsider.

Speaker in the chair.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 15, 1887. }

Mr. Speaker: I am directed by the President to inform you that

the senate has adopted senate concurrent resolution No. 12, providing for the time of the meeting of the house of representatives and senate in joint convention for the purpose of electing one State Librarian, three Pilot Commissioners and one Register of the State Land Office at La Grande.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Mr. Hale moved to adopt senate concurrent resolution No. 12 and the house sustained the motion.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 15, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has adopted and concurred in house joint resolution No. 12, providing that all State printing shall be done by the State Printer.

And the same is herewith transmitted to you for enrollment.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 15, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has adopted and agreed to house concurrent resolution No. 24, providing for the final adjournment of the fourteenth biennial session of the legislative assembly of Oregon.

And the same is herewith transmitted to you.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 15, 1887. }

Mr. Speaker: I am directed by the President to inform you that he has signed house bill No. 13.

And the same is herewith transmitted to you.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 15, 1887. }

Mr. Speaker: I am directed by the President to inform you that he has signed house bill No. 186.

And the same is herewith transmitted to you.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 15, 1887. }

Mr. Speaker: I am directed by the President to inform you that senate bill No. 26 has been reported correctly enrolled.

And the same is herewith transmitted to you for your signature.

E. G. HURSH,
Chief Clerk.

The Chair announced that he was about to sign senate bill No. 26, and subsequently that he had signed it.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 15, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed house bill No. 94, being a bill for an Act to amend section 28, title 3, chapter 4, miscellaneous laws of Oregon.

And the same is herewith transmitted to you for enrollment.

E. G. HURSH,
Chief Clerk.

And the bill was ordered enrolled.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 15, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed house bill No. 60, being a bill for an Act to amend section 54 of an Act entitled an Act to establish a uniform course of public instruction in common schools, with the exception that the emergency clause was ordered struck out.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Mr. Blundell moved to concur in senate amendment to house bill No. 60.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blundell, Bowditch Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Mayer, Maxwell, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—54.

Nays—None.

Absent—Messrs. Benjamin, Harrington, Little, Miller of Jackson, Miller of Linn, Summers—6.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 15, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed house bill No. 59, being a bill for an Act to amend amendments of sections 37 and 57, title 4, school laws of Oregon, with the following

AMENDMENT.

Amend by striking out all of section 3.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Mr. Blundell moved to concur in the senate amendment to house bill No. 59.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bilyeu, Blevins, Crook, Culver, Crockett, Davis, Gard, Goodsell, Holland, Hale, Hicks, Laughlin, Little, Mitchell, McCully, Pomeroy, Stafford, Thompson, Taylor—19.

Nays—Messrs. Benjamin, Blundell, Bowditch, Biggs, Daly, Gay,

Henry, Hansard, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Maxwell, Munger, McKenzie, Mackay, Noyer, Osborn, Palmer, Pendleton, Paulsen, Richardson, Swank, Smith, Vanderpool, Wilson, Mr. Speaker—33.

Absent—Messrs. Gubser, Mayer, Miller of Jackson, Miller of Linn, McLean, Roberts, Summers, Wilcox—8.

So the house refused to concur in the senate amendments to house bill No. 59 as reported to the house, and the senate was so notified.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 15, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed house bill No. 96, being a bill for an Act to amend section 62, title 6 of chapter 4 of the miscellaneous laws of Oregon, with the exception that they struck out of said bill section 2.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Mr. Bilyeu moved to concur in senate amendment to house bill No. 96.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Maxwell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Smith, Thompson, Vanderpool, Wilson, Wilcox, Mr. Speaker—53.

Nays—None.

Absent—Messrs. Haley, Mayer, Miller of Jackson, Miller of Linn, Mitchell, Summers, Taylor—7.

So the house concurred in the amendment.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 15, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has adopted senate joint resolution No. 16, providing for

an election in November, 1887, upon amendment to the constitution changing the general election from June to November.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Mr. Roberts moved to concur in senate joint resolution No. 16.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Holmes, Haley, Kruse, Lockett, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, McLean, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Smith, Thompson, Vanderpool, Wilson, Wilcox—50.

Nays—Messrs. Harrington, Johnson, Mr. Speaker—3.

Absent—Messrs. Lafollett of Marion, Miller of Jackson, Miller of Linn, Mitchell, Munger, Summers, Taylor—7.

So the house concurred in senate joint resolution No. 16.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 15, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has adopted senate joint resolution No. 17, providing for a monument in memory of General Joseph Lane.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Mr. Benjamin moved to adopt senate joint resolution No. 17.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Blevins, Crook, Crockett, Davis, Daly, Gard, Goodsell, Hale, Harris, Holmes, Lockett, Laughlin, Little, Mayer, Maxwell, McLean, McKenzie, Mackay, Noyer, Osborn, Thompson—25.

Nays—Messrs. Biggs, Gubser, Henry, Hansard, Hicks, Harrington, Haley, Johnson, Kruse, Lafollett of Marion, Lafollett of Yamhill, Layman, McCully, Pomeroy, Palmer, Pendleton, Paulsen, Roberts,

Richardson, Stafford, Swank, Smith, Vanderpool, Wilson, Wilcox, Mr. Speaker—26.

Absent—Messrs. Culver, Gay, Holland, Miller of Jackson, Miller of Linn, Mitchell, Summers, Taylor—9.

So the house refused to concur in senate joint resolution No. 17.

Mr. Biggs moved to suspend the rules and read house bill No. 269 second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Holland, Hale, Henry, Hansard, Hicks, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Summers, Smith, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—52.

Nays—Mr. Swank—1.

Absent—Messrs. Culver, Gay, Harris, Miller of Jackson, Miller of Linn, Mitchell, Thompson—7.

So the rules were suspended and house bill No. 269 was read second time by title only.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 16, 1887. }

Mr. Speaker: Your committee on enrolled bills, to whom was referred house bill No. 204, beg leave to report the same back to the house as correctly enrolled.

JOHN WILSON,
Chairman.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 16, 1887. }

Mr. Speaker: Your committee on enrolled bills, to whom was referred house bill No. 66, beg leave to report the same back to the house as correctly enrolled.

JOHN WILSON,
Chairman.

The Chair announced that he was about to sign house bills Nos. 204 and 66, and subsequently that he had signed them.

Committee on public lands by consent made the following

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 15, 1887. }

Mr. Speaker: Your committee on public lands, to whom was referred senate bill No. 62, beg leave to report that they have had the same under consideration and would respectfully report it back to the house without recommendation.

ROBERT McLEAN,
Chairman.

Mr. Bilyeu moved to suspend the rules and read senate bill No. 62 third time now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crockett, Daly, Gard, Gubser, Goodsell, Holland, Hale, Henry, Hansard, Hicks, Holmes, Haley, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, McLean, Munger, McKenzie, Mackay, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilcox, Mr. Speaker—47.

Nays—Messrs. Crook, Gay, Harris, Harrington, Johnson, McCully—6.

Absent—Messrs. Culver, Davis, Miller of Jackson, Miller of Linn, Mitchell, Roberts, Wilson—7.

So the rules were suspended and senate bill No. 62 read third time.

“Shall the bill pass?”

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Hale, Henry, Hansard, Hicks, Holmes, Haley, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Noyer, Pomeroy, Palmer, Pendleton, Paulsen, Richardson, Smith, Thompson, Taylor, Stafford, Swank, Vanderpool, Mr. Speaker—46.

Nays—Messrs. Holland, Harris, Harrington, Johnson, Laughlin, Mackay, McCully, Osborn, Roberts, Wilson, Wilcox—11.

Absent—Messrs. Crook, Gay, Summers—3.

So senate bill No. 62 passed.

By consent, Mr. Roberts introduced house joint resolution No. 14 as follows:

HOUSE JOINT RESOLUTION NO. 14.

Be it resolved by the Legislative Assembly of the State of Oregon:

That the joint committee of the house and senate on fisheries be and hereby are instructed to visit the fisheries of the waters over which the State of Oregon has exclusive or concurrent jurisdiction during the time of 1887 when the same are in active operation and to investigate the methods now employed in catching and preparing fish for market; that the said committee be instructed to file their report of such investigation, together with their recommendations of such legislation for the regulation of such fisheries as they shall deem necessary for the protection and encouragement of that industry.

Be it further resolved, that the committee be authorized to employ such clerical aid as may be necessary to carry out the instructions herein contained, and that the chairman of said committee shall certify to the Secretary of State the number of days, not to exceed thirty, said committee and clerk were engaged in such travel and investigation and the number of miles traveled by each in going to and returning from said fisheries, and the Secretary shall draw his warrant therefor at the rate of three dollars per day and ten cents per mile.

Mr. Roberts moved the adoption of the resolution.

Mr. Harrington moved to lay house joint resolution No. 14 on the table.

The motion prevailed.

By consent the committee on education submitted the following

REPORT.

HOUSE OF REPRESENTATIVES, |
SALEM, February 14, 1887. }

Mr. Speaker: Your committee on education, to whom was referred house bill No. 23, entitled "A bill for an Act entitled 'An Act to amend subdivision 1, section 17, of the school laws of the State of Oregon,' passed October 29, 1872, and provide for a series of text books to be used in the common schools of this State, and provide for the printing and distribution thereof," have had the same under consideration, and beg leave to report back the bill with the following objections thereto, and with the recommendation that it do not pass:

The bill contemplates the compilation, publication and distribution by the State of a series of text-books for use in the public schools.

Without quoting the bill in detail, or criticising special points which might be corrected by amendment, your committee think best to state, briefly, the facts which in their judgment forbid the State to embark in any enterprise of this kind.

We find that there is a belief, on the part of many, that very large sums of money, amounting to hundreds of thousands of dollars, are annually paid by the people of the State for common school books; that all schoolbooks are controlled by a "monopoly;" that enormous profits are annually obtained from their sales; that the State can at any time cause new books to be compiled, equal to any now in print; that the books, when compiled, can be printed by the State at a comparatively trifling expense; that the books, when so made, are certain to be found suitable for use in our schools; and that they can be distributed without serious trouble or expense to the pupils.

If your committee had found these widespread beliefs to be justified by facts they would certainly have addressed themselves to the perfection of this bill and earnestly recommended its passage; yet, when charged with the responsibility of investigation we find no single one of these things to be true, we feel it our duty, when reporting the bill adversely, to state the facts upon which we base our conclusions and action in the consideration of the provisions of this bill.

The first and most important consideration is one that appears to receive no attention whatever from the average citizen: *How would the proposed change affect the instruction of the children in our common schools?*

There are now in the United States nearly one hundred firms engaged in the publication of text-books, which have been written by several hundred authors and received the corrections and suggestions of many times that number of editors and critics.

These books have had added to them whatever of good could be contributed by the best artists, engravers and map-makers, and from the whole mass of this literature we have, under our present system, the opportunity once in four years to select the freshest and best by the votes of a majority of our twenty-seven county school superintendents, aided as they always are by the judgment and advice of the ablest educators of our State.

For this vast range of choice it is proposed to substitute the work, *whether good or bad*, which may happen to be evolved by the single minds which chance to be available to our State board of education, and manufactured by men inexperienced in work of that character, with such mechanical facilities as may come within the limits of our appropriation, which must be made without any adequate study and investigation of the subject.

It is doing no injustice to any of the excellent teachers and competent business men and mechanics who would be called upon to execute the provisions of this bill to assume, as your committee does, that in the utter absence of experience in such work and of any proper literary or mechanical facilities the results of their labors must be crude, imperfect and humiliating, both to themselves and the State, as well as gravely injurious to the interests of our schools. Educators whom we have consulted are practically unanimous in their statements that the great majority of our teachers, being young and inexperienced, must depend on the text-books for their guidance in giving instruction, and that it is of the utmost importance that they receive through these text-books the aid of the ablest and clearest minds in the teaching profession. To take less than this is to endanger the progress of the pupils and the usefulness of our schools. It is also agreed that the magnificent maps and illustrations with which all modern schoolbooks abound, and which it is conceded could not be produced in this State, are not only productive of great pleasure to young pupils, but of a very high educational value as conveying through the eye important information, which, if learned through the text only, would be but half apprehended and very soon forgotten. Who does not remember the pictures of the schoolbooks? And who remembers very much else?

In view of these facts your committee are of the opinion that not even the financial saving hoped for by the advocates of this measure would justify the great risk of this lasting injury to our school system, which we feel safe in predicting would inevitably result from its adoption.

But there is no such financial saving, or indeed any saving whatever, but rather, in the opinion of your committee, the certainty of a very great loss.

In support of this view, the facts may be computed by any one from the reports of the State Superintendent, and the superintendent of the city schools of Portland, by assuming that the proportion of primary and grammar grade pupils is the same relatively throughout the State as in Portland, and that one-fourth of the books used in the primary grades and one-third of those used in the grammar grades are handed down from one pupil to another, both of which assumptions, we are assured by competent judges, are certainly within the truth. Assuming these two facts, and that the books are sold throughout the State at the same retail prices as in Portland, we find without quoting the details of the computation that in the entire State there are 35,407 primary grade pupils that annually purchase, at Portland retail prices, books amounting to \$17,263 32; that 13,769 grammar grade pupils purchase \$15,375 38,

making a total amount of retail purchases of \$32,638 70. Cost of the same books to wholesale dealers is \$19,439 49. The cost of distribution is \$13,199 21. We assume the retail prices charged in Portland because we have no means of ascertaining the average prices throughout the State, and Portland is the largest single city.

From this exhibit it appears that the State now annually pays to Eastern publishers, in round numbers, about \$19,500 for common school books, and \$13,200 plus whatever in excess of Portland retail prices is charged by interior dealers, for their freight and distribution. The problem before your committee was to ascertain how much, if any, of either or both those sums the State could save by undertaking the task either of publishing or distributing the books, or both.

These two items are not necessarily connected, as it is obvious that the State, if deemed best, might purchase books of publishers probably at lower rates than wholesale dealers, and assume the labor of distribution. In order to ascertain precisely our present facilities in regard to distribution, we find, by computation from the commercial records, that the number now engaged in selling schoolbooks in Oregon is 370 persons or firms, situated in 235 different places throughout the State. These persons or firms all sell other lines of goods, and are, of course, open and accessible at all business hours, enabling any person at any time to get any book in use at his usual business resort, or at any other similar place where he may happen to be.

As a rule, also, he need not, and, we think, more commonly does not pay for the book at the time of purchase, and frequently never does pay for it. For this service these 370 persons receive as an aggregate sum, as before shown. \$13,200 each year, or about \$34 each.

It may, however, be said with some truth that the public would be reasonably well served if the sale of books were confined to one person or depository in each of the places at which the law of demand and supply has demonstrated that it is most convenient for the people to obtain their books. There being 235 of these places, the average profit to each, in that case, would be about \$56, from which must be deducted freight, interest, current expenses, occasional loss or damage to stock, and losses in business. In the opinion of your committee, the services rendered by these tradesmen are essential to the convenience of the public, and the compensation is evidently far less than the State could perform the same service for.

In place of this extended and convenient service it is proposed to substitute the twenty-seven county school superintendents of this State. These officers, however, may, and in fact often do reside at places remote and not conveniently accessible to the public. The

plan, if it were to be perfected, must evidently provide for and require their constant residence at the county seats, make provision for suitable offices and store-rooms, and, as the superintendents must often be absent from their offices, for clerks to keep open the offices for the sale of books; for, obviously, a public which has been accustomed to obtain its books at its own pleasure, in all business hours at 370 places, would at least require the twenty-seven places to which this plan proposes to confine their sale to be open at all ordinary business hours. Your committee cannot see that the extra salary, which would be just and necessary to enable the county superintendents to reside at the county seats and provide clerk hire during their absence, could be less than \$50 per month to each county. This would cost annually to the whole State not less than \$16,000, or \$3,000 more for this exceedingly imperfect distribution than is now paid to bring the same books from the East and distribute them through 370 agencies in all parts of the State.

But although this plan stops at this point, the public demand would not. It is evident for example that the people of Umatilla county would not be willing to buy all their books from Pendleton, or the people of Douglas county from Roseburg. Additional agencies must be provided, and the State has only to offer the teachers and school officers to extend this work. Teachers, evidently, cannot be relied upon as distributing agents, since they would often be wholly unable to comply with the essential condition of advance payment for the books; and besides they are often young girls wholly inexperienced in business and certain either to lose large portions of their wages by giving credit or make enemies in their districts by refusing it. Any attempt to make teachers the agents would not only be embarrassing and unjust to them, but certainly in many instances injure their popularity and influence and thereby their efficiency as teachers.

Teachers should never be required to have business dealings of this kind with their pupils. School directors and clerks in many sparsely settled districts are often more difficult of access to some of their neighbors than the towns they patronize. These officers are usually not men of business habits, seldom have any suitable place for the safe keeping of books, would often find it impossible to keep proper accounts, could not be compelled to advance the money for the books and ought not if serving without pay to be compelled to give bonds for money advanced by the district for that purpose. To many district localities the cost of freight is high and irregular and the means of remitting money uncertain. From all these considerations it has become evident to your committee that even were the State to engage in the publication of its text-books

by far the cheapest as well as the most convenient plan would be to sell to the trade and allow the people to obtain them as now at their own time and in their own way.

We come now to the question of State publication. It is hoped and doubtless believed by those favoring this measure that State publication of schoolbooks would result in a great saving of money to the people and the permanent employment of many deserving mechanics in this State. Both these objects are extremely desirable, and while as above stated in the judgment of your committee they should not be allowed to outweigh the certainty of serious injury to our schools which would result, yet this aspect of the case is entitled to a careful consideration. The money paid for the distribution of our schoolbooks nearly all goes to our own citizens. That paid for the books themselves goes entirely out of the State; and while as legislators we should entertain no prejudice against citizens of sister States it is unquestionably legitimate and proper to encourage by any appropriate legislation the development of industries in our own midst.

The actual cost of the common school books in New York that are annually used in the State has been shown to be about \$19,500. Your committee assume that these books could be purchased by the State, laid down in Salem, for \$20,000. The problem to be solved is how much if any of that sum could be saved to the State by compiling and manufacturing for ourselves. In endeavoring to reach some conclusion on this point your committee have obtained the opinions of some of the best practical printers and binders in the State, as well as some of the best educators, and find the following to be some of the principal facts to be dealt with:

The preparation of schoolbooks which are to serve as guides both to teacher and pupil requires not only great natural talent, but much time, patience, experience and judgment, as well as perfect familiarity with the ability and attainments of the average child in each year of his school life. Consider, for instance, the composition of the examples in an arithmetic, which must be arranged in such regular graduation of difficulty that throughout the book the powers of the pupil are taxed just enough to stimulate their full exercise, without being blunted and dwarfed by fruitless attempts to achieve the impossible. All other text-books present similar difficulty. Some thoughtless persons have suggested the copying from books now in print; every word, however, in those books is protected by United States copyright, and if they were not so protected it would certainly be beneath the dignity of a great State to attempt to steal what it desires but is unwilling to pay for. We should be compelled to have prepared entirely new books. There are not

now in the State, it is believed, any persons who have ever written any schoolbooks, and if there were competent persons among us, the copyright of ten per cent. usually paid by publishers, amounting to not more than \$2,000 per annum on the books required by this State, would not, when divided among the large number of persons whose services would be required, form any inducement to relinquish their present employments and devote several years to the service of the State. Some additional sum, whose amount your committee are wholly unable to conjecture, would be required for this purpose. Publishers seldom find it possible to publish schoolbooks in the exact form in which they are left by their authors. For such work the influence of more than one mind is essential. The State of California is now issuing, by its State board of education, a series of State schoolbooks. The board, besides the Governor, is composed of the State Superintendent and two principals of State normal schools; and yet, in addition to the official attention which those competent gentlemen can give to the matter, they have been obliged, following the example of all private publishers, to engage the services of an editor, at a salary of \$3,000 per year to revise the work of their authors. After two years' work it appears that they have only four books ready. We do not see that our State could probably do better, and here is another expense apparently inevitable, the amount of which your committee are unable to foresee.

The readers, geographies, histories, and perhaps other books require copious illustrations, unless we would have our books uninteresting, sometimes even unintelligible, and utterly below the standard to which we are accustomed.

There are not now in the State, so far as your committee can learn, either designers or wood engravers accustomed to artistic work of that kind, nor would they be likely to come here at any reasonable figure or price for the comparatively short time that they would be needed. Of the amount necessary to accomplish this necessary work also and which would certainly be several thousands of dollars your committee are unable to form any intelligent estimate.

The geographies and histories would require large numbers of maps, which it is of the highest importance should be accurate and clear. These maps are not lithographed as formerly, but after being designed by the author and perfectly drawn by the draughtsman are engraved on softened wax from which electrotypes are taken as from ordinary type.

Blocks are also prepared for printing each color and electrotyped. This engraving is work requiring special knowledge and skill. But

few firms in the whole United States, as your committee is informed, do this work. How it is to be done in this State at all your committee confess themselves at present unable to see. Money could accomplish it without doubt, but not we fear any sum which this legislature would be willing to appropriate. Neither, if the plates of the maps were in our possession, does your committee see how the necessary printing in colors could be done, except by importing some person from the East familiar with such work. Nothing of the kind, so far as your committee is able to learn, has ever been done in this State.

Proper care for the eyesight of pupils requires the use of special type for this purpose.

Publishers vie with each other in this particular, and have fonts of type specially engraved for their schoolbooks. In this particular, certainly, the State ought not to omit any necessary expense. A complete outfit of new type would be required, the cost of which could only be estimated by competent men after a full understanding of the exact work to be done. Books of which any large number are required are not printed from type, which would soon wear out, but from electrotypes taken from the page of type. No facilities for this work exist at present in the State and an entire electrotype foundry would need to be established; and so far as your committee can learn, persons imported from the East to run it. The expense of this item has not been estimated by your committee, but it would be large, and would result in no permanent employment to anybody, the plant being in use only while the plates were preparing, and then only at intervals.

Illustrated books and maps cannot be properly printed except by trained and skillful pressmen, on costly presses not used, because not required for ordinary printing. The necessary expense for this plant would be very large, but, as in all other instances above cited, could only be estimated by experts thoroughly familiar with the character and amount of the work to be done, and with the latest and best machinery for accomplishing it.

Schoolbooks must be neatly and strongly bound. This work is a special branch of the trade. Eastern publishers, making books by the million, by the aid of abundant and costly machinery, and the skill acquired by long years of experience, can do this work far cheaper than our State could do it. Under the plan contemplated this work would be done by contract, under the direction of the Secretary of State. Your committee have sought to obtain the approximate cost of this item.

The State would require annually about 50,000 books of about the average size of a third reader. We learn that if assured of

constant work for such a term of years as would justify a contractor to fit up for this business, and the books received in regular quantities each month, so as to insure steady employment to workmen, that 50,000 such books can probably be bound for about \$9,000.

There is, at a reasonable estimate, now in the hands of the people and dealers of this State at least one full year's supply of the textbooks in use. These, of course, would be a total loss to the people, and their value, estimated at \$20,000, must be added to the capital required for this enterprise, as it is really so much money put into it.

The foregoing is sufficient to show that neither your committee, or any one else, can at present form any reliable estimate of the amount required for plant, or for carrying on the business. It is proposed to set up a regular publishing establishment. The preliminary expenses would be just the same as would be required by the largest State, or by a large publishing house. We know that the great publishing houses have hundreds of thousands of dollars of capital invested, and we must assume that, if not required, it would not be used. Expert printers here have made various estimates of from \$60,000 to \$100,000 for plant, and proportionate sums for running expenses. But it has been necessarily little better than guesswork. We know that in 1885 the California State board of education, upon an investigation made into the matter by the State Printer, and upon an estimate made by the State Printer, asked of the legislature of that State that an appropriation of \$250,000 be made; and that \$170,000 was actually appropriated to begin with; and we know that after two years' work they have only four books ready, and those not the most difficult or expensive. In due time we shall be enabled to learn how that money has been spent, and what additional sums will be required. If they need so much money, so shall we. And your committee may pertinently remark that they have heard of nobody who engaged in a complicated business of which they knew nothing who did not find the cost of carrying it on much greater than they anticipated. At any rate it is evident that the \$10,000 proposed to be appropriated by this measure is a mere bagatelle, sufficient only to commit the State to an experiment whose end and cost no man can foresee.

It is the judgment of your committee, in view of all these facts, that it would be entirely unsafe to estimate less than \$100,000 as necessary to be expended before a single book could be issued, to which must be added \$20,000 for loss of stock now in the hands of the people, or \$120,000 in all; to which must be added at least two years' interest for use of capital before books are ready for use.

Private publishers, with whatever skill their books are originally prepared, find it necessary to exercise continual and watchful care in their revision, as experience in the schoolroom reveals defects.

From time to time, also, new books will be required, if we are to keep pace with educational progress and give our pupils the advantage of these occasional changes of reading matter, which educational men unite in regarding as essential. In the opinion of your committee, and especially in view of the very crude and imperfect books with which we should be almost certain to begin, public opinion would require an entire change of the series at least once in ten years; and that, in addition to interest on the total capital, at least one-tenth of the original cost of the plates should be added each year, in estimating running expenses, for what may be termed wear and tear of plates. This item, with the necessary work of revision, would require the "office of editor" to be made permanent and his salary permanent, additional to the running expenses of the business. Taking these and all other items, such as paper, binding, wages, ink, clerk hire, interest, wear and tear of plates, repairs, fuel, wear and tear of machinery, freight, and the general running expenses of a printing and publishing business, it is the opinion of your committee that not less than \$40,000 per annum would be required to produce the books which now cost us \$20,000; and no one can tell in advance whether the books produced would be suitable for use or not.

If we turn now to consider the amount of labor which would find permanent employment in the State by means of this enterprise, we find it too trifling to speak of. One-half of the cost of the books proper is the paper, which must all be imported from the East, unless, which we do not understand to be proposed, the State sets up a paper mill. This, therefore, cannot be counted as offering work to our own people. All we can possibly gain in this direction must be from the other part of the cost of the books. Employment, however, would doubtless be furnished to a large number of authors, editors, clerks and distributing agents, but these, although they would be worthy citizens, do not belong to a class whose interests require fostering by special legislation of this kind. During the preparation of the plates employment would be furnished to a few compositors in the printing office and fitful and irregular work to some experts, who must be temporarily imported for the purpose; but after the books should be completed for the press, the only actual workingmen employed would be the necessary pressmen and one or two men and a few girls in the bindery; absolutely nothing more than this. Your committee respectfully suggest that so small an outcome does not justify so great a labor. However we may sympathize with our laboring men, they would not themselves ask us to double the cost of their own books and risk a grave injury to the schools which their own children attend, in order to give em-

ployment to so few of their own number. If any workingmen favor this plan it is because they do not understand the facts. Your committee have considered it their duty to present them.

In preparing this report we have naturally, for convenience' sake, considered the sums annually spent for schoolbooks in the aggregate. This view, in considering sums of money, is easily grasped and readily comprehended. Not so easily, however, on the contrary, does the mind grasp the aggregate injury to our children from unwise interference with the manner of their instruction. This view may be presented most forcibly by the simple statement, which is the actual fact, that the average annual retail cost to each pupil in the primary grades for all text-books required by the State is only sixty-five cents. What saving which could be possibly made on any such trifling expenditure would afford compensation for any hindrance whatever to the child's progress, or even the risk of such hindrance?

Your committee, in conclusion, would state that the importance of the subject and the widespread but erroneous impressions in regard to it—impressions which your committee will frankly avow that they largely shared at the beginning of their investigation—have caused them to make this inquiry and report as complete and exhaustive as the limited time and means at their disposal would admit, to the end that legislators or others seeking information upon the subject might derive whatever advantage can be gained from the labor and care which we have given to its study.

Respectfully submitted,

J. E. BLUNDELL,
DAVID GUBSER,
B. R. HENRY,
Committee on Education.

On motion of Mr. Blundell, 500 copies of committee report on house bill No. 23 were ordered printed.

By consent, the special committee on Willamette Falls Canal and Lock Company reported.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 16, 1887. }

Mr. Speaker: We, your special committee to investigate the reports of the Willamette Falls Canal and Lock Company and the amounts paid by the State of Oregon to said company, respectfully ask to submit the following report:

The first report we find is the following, which is a true copy of a report made by the president of the company:

LINN CITY, OREGON,
December 31, 1873. }

Willamette Falls Canal and Lock Company to State of Oregon.
Total amount received for tolls from January 1, 1873, to
December 31, 1873-----\$ 4,350 00
Due the State of Oregon ----- 435 00

I hereby certify that the above is a true account of all tolls received during the year 1873.

B. GOLDSMITH,

President Willamette Falls Canal and Lock Company.

We find no report from that time until September 1, 1878, and find no account of disbursements returned by the company from September 1, 1884, to December 31, 1886, notwithstanding that the law of 1870 says "that the company shall pay into the State treasury ten per cent. of the net profits."

We find accompanying the first report of 1878 a letter from J. C. Ainsworth, president of the company, stating that no lockage had been charged on the Oregon Railway and Navigation Company's boats prior to 1879. The question arises in the minds of your committee what are the net profits of the company? The following is a synopsis of the gross receipts and disbursements from September 1, 1878, to September 1, 1884:

RECEIPTS AND DISBURSEMENTS.

Gross earnings from September 1, 1878, to September 1, 1884-----		\$ 88,088 54
Running expenses, including taxes-----	\$ 26,199 50	
Legal advice-----	969 00	
Quieting title-----	3,000 00	
Interest for the same period-----	136,051 50	166,220 00
Balance-----		\$ 78,131 48

We find by examining the Treasurer's books that the State has paid to the Willamette Falls Canal and Lock Company the sum of \$340,340 44. Accompanying this report is an abstract of amounts received by the company as tolls from September 1, 1884, to December 31, 1886, showing an amount of \$40,478 76½ as tolls on passengers and freight. We find that \$435 00 has been paid to the State by B. Goldsmith.

Respectfully submitted,

P. S. NOYER,
Chairman.
I. H. HOLLAND.
A. H. CROOK.

STATEMENT OF COLLECTIONS AND DISBURSEMENTS OF THE WILLAMETTE FALLS
CANAL AND LOCK COMPANY.

PERIOD COVERED.	NUMBER OF PAS- SENGERS.	NUM- BER OF CATTLE.	NUMBER OF SHEEP.	NUMBER OF TONS OF MERCHAN- DISE.	AMOUNT RECEIVED.		
					Passengers.	Freight.	Total.
From	1,913	71	203	15,020	\$ 19 15	\$ 7,510 00	\$ 7,529 15
From	1,666	100	244	14,833.8	16 66	7,416 90	7,433 56
From	1,030	191	140	5,980.8	10 90	2,990 40	3,001 30
From	1,327	16	39	2,433.2	13 27	1,276 80	1,289 87
From	2,551 1/2	121	36	12,339 9	27 51 1/2	6,169 95	6,197 50 1/2
From	1,301 1/2	130	562	9,131.7	13 01 1/2	4,567 85	4,581 20 1/2
From	1,871	98	121	4,252	18 71	2,135 00	2,144 71
From	1,528	8	2	3,274	15 28	1,637 00	1,652 28
From	2,122 1/2	17	4	13,255.8	21 22 1/2	6,627 90	6,649 12 1/2
Totals	15,660 1/2	756	1,351	80,644.2	\$ 156 66 1/2	\$ 40,322 10	\$ 40,478 76 1/2

NOTE.—We find no basis as a charge upon cattle and sheep, as a lockage; therefore it is impossible to ascertain what amount of money has been received as lockage on them. The amount above given, as will be seen, is only on freight and passengers.

On motion of Mr. Paulsen, the house ordered 400 copies report printed.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 16, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate did not order stricken out of house bill No. 59 subdivision 3 of section 1, but did order that section 3, being the emergency clause, be stricken out.

And with these corrections the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Mr. Blundell moved to concur in the amendment.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Kruse, Lockett, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Richardson, Stafford, Summers, Smith, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—55.

Nays—None.

Absent—Messrs. Johnson, Lafollett of Marion, Roberts, Swank, Thompson—5.

So the house sustained the senate amendment to house bill No. 59.

On motion of Mr. Noyer, the report of special committee on affairs of Willamette Falls Canal and Locks Company was adopted.

Mr. Gay called up special order senate bill No. 165 and the bill was read third time.

The following gentlemen desired to go on record as protesting against the passage of the bill:

PROTEST.

Mr. Speaker: Having carefully considered senate bill No. 165, being a bill for re-districting the State of Oregon into senatorial and representative districts, and having fully convinced myself that the bill is an unfair, unjust and indecent discrimination against a large and important section of country in the interest of stronger and

more central localities for the unfair advancement of the interest of a political organization, and having been refused the privilege of an amendment in the interest of fairness which all men concede, and being fully satisfied that the passage of the bill as it came from the senate is an outrage upon the constitutional rights of the people of the State of Oregon, I therefore protest against the passage of this bill and ask that this matter be spread upon the journal of this house.

S. U. MITCHELL,
A. H. CROOK,
J. H. ROBERTS.

On behalf of the county of Linn, of which I am a member in the house of representatives, I hereby solemnly protest against the passage of senate bill No. 165, known as the re-apportionment bill, for the reason that I consider said bill unfair, unjust and in direct violation of the constitution of the State of Oregon.

B. R. HENRY,
ALFRED BLEVINS,
I. D. MILLER,
J. W. SWANK,
W. W. RICHARDSON,
F. C. HANSARD.

Mr. Mitchell made a speech in support of his protest, and spoke against the bill till called to order at the instance of Mr. Pomeroy for exceeding his time.

Mr. Taylor moved the previous question.

"Shall the main question be now put?"

Carried.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Culver, Crockett, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Hicks, Harris, Harrington, Kruse, Lockett, Lafollett of Marion, Layman, Mayer, Maxwell, McLean, Munger, Mackay, McCully, Osborn, Pomeroy, Pendleton, Paulsen, Stafford, Summers, Smith, Thompson, Taylor, Wilson, Wilcox, Mr. Speaker—39.

Nays—Messrs. Blevins, Crook, Davis, Henry, Hansard, Holmes, Haley, Lafollett of Yamhill, Laughlin, Little, Miller of Jackson, Miller of Linn, Mitchell, McKenzie, Noyer, Palmer, Roberts, Richardson, Swank, Vanderpool—20.

Absent—Mr. Johnson—1.

So senate bill No. 165 passed.

Mr. Summers moved that house bill No. 217 be made a special or-

der for 8 P. M. this day, and Messrs. Summers and Munger demanded the ayes and nays on the vote.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Davis, Gubser, Goodsell, Hale, Hansard, Harris, Harrington, Maxwell, Miller of Jackson, Munger, Osborn, Pomeroy, Paulsen, Roberts, Summers, Wilcox, Mr. Speaker—20.

Nays—Messrs. Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Daly, Gard, Holland, Henry, Hicks, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Miller of Linn, Mitchell, McLean, McKenzie, Mackay, McCully, Noyer, Palmer, Pendleton, Richardson, Stafford, Swank, Smith, Thompson, Taylor, Vanderpool, Wilson—38.

Absent—Messrs. Gay, Mayer—2.

So the house refused to make the special order.

Mr. Mayer moved to take up house bill No. 206 and the motion carried.

House bill No. 206 was read third time.

“Shall the bill pass?”

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Biggs, Blevins, Crook, Crockett, Davis, Daly, Gard, Gubser, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Linn, McLean, Munger, McKenzie, Mackay, McCully, Osborn, Pomeroy, Palmer, Pendleton, Richardson, Summers, Smith, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—48.

Nays—Messrs. Culver, Stafford—2.

Absent—Messrs. Bowditch, Bilyeu, Goodsell, Harrington, Holmes, Miller of Jackson, Mitchell, Noyer, Paulsen, Roberts, Swank, Thompson—12.

So house bill No. 206 passed and the title of the bill stood for the title of the Act.

At the request of Mr. Richardson, house bill No. 84 was by consent read third time.

“Shall the bill pass?”

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bilyeu, Biggs, Blevins, Culver, Davis, Daly, Gard, Goodsell, Gay, Hale, Henry, Hansard, Hicks, Harrington, Haley, Lafollett of Marion, Layman, Laughlin, Miller of Linn, Mackay, Noyer, Osborn, Pendleton, Paulsen, Richardson, Stafford, Swank, Smith, Thompson, Vanderpool—32.

Nays—Messrs. Crook, Crockett, Harris, Holmes, Johnson, Kruse, Lockett, Little, Mayer, Maxwell, Miller of Jackson, McLean, Munger, McKenzie, McCully, Pomeroy, Palmer, Roberts, Taylor, Wilson, Wilcox, Mr. Speaker—22.

Absent—Messrs. Bowditch, Gubser, Holland, Lafollett of Yamhill, Mitchell, Summers—6.

So house bill No. 84 passed and the title of the bill stood for the title of the Act.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 16, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has concurred in the house amendments to senate bill No. 137.

E. G. HURSH,
Chief Clerk.

Mr. Paulsen, from joint committee on affairs of State Printer sent report to the desk.

Mr. Harrington moved to take up house bill No. 156 and put on passage.

Pending the question the house adjourned, on the motion of Mr. R. A. Miller.

AFTERNOON SESSION.

House called to order at 1:30 P. M., the Speaker in the chair.

The roll was called and those absent were Messrs. Blevins, Daly, Goodsell, Henry, Hicks, Harris, Kruse, Charles Lafollett, Mayer and Maxwell.

The house having adjourned pending Mr. Harrington's motion to take up house bill No. 156, Messrs. Noyer and Munger called for the ayes and nays on the question to take up house bill No. 156.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bilyeu, Culver, Crockett, Daly, Gard, Gubser, Goodsell, Hale, Hansard, Harrington, Haley, Johnson, Lockett, Lafollett of Marion, Laughlin, Mayer, Maxwell, Mitchell, Munger, McKenzie, Noyer, Pomeroy, Pendleton, Paulsen, Richardson, Stafford, Summers, Wilson, Wilcox, Mr. Speaker—30.

- Nays—Messrs. Benjamin, Blundell, Bowditch, Biggs, Holland, Holmes, Layman, Little, McLean, McCully, Osborn, Palmer, Swank, Smith, Thompson, Taylor—16.

Absent—Messrs. Blevins, Crook, Davis, Gay, Henry, Hicks, Harris, Kruse, Lafollett of Yamhill, Miller of Jackson, Miller of Linn, Mackay, Roberts, Vanderpool—14.

So the house refused to suspend the rules in favor of house bill No. 156.

The committee on State printing made the following

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 16, 1887. }

Mr. Speaker: Your committee appointed to investigate the manner in which the public printing has been done during the last two years have to report that the expert employed by the committee whose findings are herewith presented reports that he has carefully performed the work assigned to him, and that the public printing has been performed properly and the prices charged were according to law. The expert employed by your committee has recommended several slight changes which we think would result in advantage to the State. The amounts charged vary slightly from his measurement, but in the main the aggregate is correct.

All of which is respectfully submitted,

THOMAS PAULSEN,
Chairman of Joint Committee.
J. M. SIGLIN,
Chairman of Senate Committee.
THOMAS PAULSEN,
Chairman of House Committee.

REPORT OF EXPERT TO JOINT PRINTING COMMITTEE.

To Messrs. Paulsen, Summers, Miller, Siglin and Chamberlin, Joint Committee on the part of the House and Senate of the Oregon State Legislature to investigate the work of the State Printer for the two years past:

GENTLEMEN: As expert appointed by you to examine the work of the State Printer for the past two years, I beg leave to report that I have carefully and fully examined the work done and the statements and vouchers paid and find that the printing has been executed in a good and workmanlike manner, and the rates charged

have been according to law. An unusual amount of printing has been done during the two years owing to a general and natural increase of business in the several departments and especially to the creation of the assessment and taxation commission, special session of the legislature, November, 1885, and printing for the State board of agriculture; therefore the appropriation (\$18,000) has long since been exhausted. Paper has been furnished by the State, purchased in open market through bids, and considerable amounts have thus been saved. The binding has been let to the lowest bidder. While the work has been measured by a standard adopted some time since, there seems to be room for a different construction of the phraseology defining the different priced matter. I think it should be made plainer. The following amounts of printing were done for the various departments of the State Government from September 30, 1884, to December 16, 1885, when the appropriation was exhausted, no warrants for printing having been paid since the latter date, and all accounts were examined up to the former date by the legislature of 1885:

For State department-----	\$ 2,110 00
House session 1885-----	5,955 50
Senate session 1885-----	1,423 30
Public instruction-----	1,631 25
State board of agriculture-----	499 15
Insane asylum-----	444 45
Supreme court-----	69 10
Land department-----	768 30
Executive department-----	105 40
Penitentiary-----	96 85
Treasury department-----	590 75
State library-----	145 95
State university-----	65 50
Agricultural college-----	31 30
Common school fund-----	2 90
Escheat fund-----	1 30
Board of Pilot Commissioners-----	17 90
Canal and locks commissioners-----	28 40
Fish ladder contractor-----	4 50
Deaf mute school-----	57 70
School for the blind-----	31 30
State board of immigration-----	3 15
Special session of legislature (1885)-----	594 50
Total-----	<u>\$14,678 95</u>

Since December 16, 1885, the printing account has gone deficit, and the amounts are about as follows, a few minor accounts not yet having been filed :

Miscellaneous-----	\$7,762 34
Insane asylum-----	468 60
Penitentiary-----	145 80
State board of agriculture-----	896 50
	<hr/>
	\$9,273 24
Paper bought—about-----	\$3,000 00
Binding of—about-----	3,000 00
	<hr/>
	\$6,000 00

At the last regular session of the legislature the number of session laws to be printed was increased from 1,000 to 1,500 copies, senate and house journals from 300 to 500 and the Secretary's and all other State officers' reports from 300 to 1,000 copies.

These increases added to those mentioned above very materially augmented the printing expense.

Notwithstanding appropriations are made for special purposes, as for instance, the assessment and taxation commission and the State agricultural society, the printing for such is done out of the general printing fund. Provision should be made in these accounts for the printing to be done.

The measurements of the expert employed by the State for the past two years have been very reasonable to the State, if indeed it has been short in some instances. Presswork has been paid per token (240 sheets), and a fraction of a token of course has been charged as a full token. Orders have been invariably given for 100 copies or multiples of 100 and so much presswork has been paid for which might have been avoided. Though the work has been "set" in accordance with methods long since followed, I see several features in the "style" which might be made more economical. For instance, in official reports the eschewing as far as possible of "rules" as divisions between columns; the closer order of tabular work and less blank pages, avoiding box-heads where practicable; requiring all figure and leader work to be "set" in nonpareil type, double column to the page where possible. To facilitate these recommendations and assure their being carried out, the State expert should be under constant employ as assistant to the Secretary of State, said expert to prescribe the manner in which all public printing shall be "set" with a view to the least expense.

EDWARD CASEY,
Expert.

On motion of Mr. Bilyeu, the report of joint committee on printing was ordered spread on the journal.

By consent, the committee on Treasurer's books reported.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 16, 1887. }

Mr. Speaker: Your committee appointed by house concurrent resolution No. 6 of the senate and house of representatives, to examine the books and accounts of the State Treasurer, beg leave to submit the following report:

As authorized by your resolution, we employed as expert accountants Walter Sinclair and James Walton to examine the books and accounts of said office under our direction and supervision and with such personal assistance as our other legislative duties enabled us to give to the work, and have to report:

1. Every receipt of the Treasurer issued during the past two fiscal years has been carefully examined, compared with the duplicate receipt filed with the Secretary of State and checked on the Treasurer's report.

2. The disbursements as reported by the treasurer have been verified by detailed examination of the Secretary's warrants filed in the treasurer's office on which the payments have been made and in every case found to agree, and the totals both of receipts and disbursements in the several funds found correct.

3. The bonds reported as having been redeemed, together with the interest coupons paid, have all been separately examined and found correct in number and amount.

4. The notes given for loans from the various trust funds and the mortgages securing the same have been carefully examined, and are now turned over to the present State Treasurer, whose receipt corresponds to the statements of the ex-Treasurer's report.

5. The securities deposited by the foreign insurance and express companies, amounting to two millions and a quarter, have been produced to your committee, examined by them, and are all in the possession of the present State Treasurer Webb. The books and accounts of the office are neatly and systematically kept, and in all respects agree with the printed report, with the exception of some few typographical errors in the latter. We recommend the payment of Walter Sinclair and James Walton, the accountants employed by us, at the rate of five dollars per day.

J. H. ROBERTS,
LARAMIE MAYER, } Committee.
F. D. McCULLY, }

On motion of Mr. Hale, the report was adopted.

Mr. Mitchell moved the vote by which house bill No. 129 failed to pass be reconsidered.

On this question the roll was called and the vote was :

Those voting aye were:

Messrs. Benjamin, Bowditch, Bilyeu, Biggs, Crook, Culver, Crockett, Daly, Gard, Gay, Holland, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Little, Mayer, Maxwell, Miller of Jackson, Mitchell, McLean, Mackay, McCully, Noyer, Pomeroy, Roberts, Taylor, Mr. Speaker—29.

Nays—Messrs. Gubser, Hale, Hansard, Hicks, Harrington, Holmes, Lafollett of Yamhill, Layman, Laughlin, Miller of Linn, Munger, McKenzie, Osborn, Palmer, Pendleton, Paulsen, Richardson, Stafford, Swank, Summers, Smith, Thompson, Vanderpool—23.

Absent—Messrs. Blundell, Blevins, Davis, Goodsell, Henry, Harris, Wilson, Wilcox—8.

So the house refused to reconsider.

The committee on judiciary, with leave to report at any time, reported senate bill No. 113 with amendments.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 15, 1887. }

Mr. Speaker: Your committee on judiciary, to whom was referred senate bill No. 113, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendments, viz.:

FIRST AMENDMENT. .

Strike out the words "county recorder and prescribing his duties thereof," in the third line of the first page of the original bill, and insert the following in the place thereof, viz.: "recorder of conveyances in the counties of Linn, Marion, Washington and Yamhill, and to prescribe the duties and fees of the same."

SECOND AMENDMENT.

Strike out section 1 of the bill and insert in the place thereof the following, viz.:

Section 1. That on, from and after the first Monday in July, 1888, there shall be in the counties of Linn, Marion, Washington

and Yamhill, they each having the number of voters required by the constitution, namely, twelve hundred, a recorder of conveyances, who shall be chosen in the same manner as the other officers of the county are chosen, and who shall hold their offices for two years and until their seccessors are elected and qualify; *provided*, that the persons to be elected to such offices for the terms commencing on the first Monday of July, 1888, shall be elected at the general election in 1888. The office of recorder of conveyances in said counties shall be separate and distinct from the county clerk's office of said counties. The recorder of conveyances in each of said counties, before entering upon the duties of his office, shall execute to the State of Oregon and file with the county court of his county a bond in the penal sum of three thousand dollars, with two or more sufficient sureties to be approved by the county judge of his county, with a condition that he will faithfully, correctly and impartially perform all the duties of his office, and shall deliver to his successor in office all books, records, maps, deeds, mortgages, papers and things belonging to his office; then the said obligation shall be void, otherwise to remain in full force and effect.

THIRD AMENDMENT.

Strike out the words "county recorder" in the twentieth line of the second page and insert in place thereof the words "recorder of conveyances"; after the word "recorder" in the twenty-third line of the second page, and after the word "recorder" in the twenty-sixth line of the second page insert the words "of conveyances"; and after the word "recorder" in the twenty-seventh line of the same page insert the words "of conveyances."

FOURTH AMENDMENT.

Strike out the words "county recorder," in the sixth line of the third page, and insert in place thereof the words "recorder of conveyances"; and after the word "recorder," in the fifteenth line of the third page, insert the words "of conveyances"; after the word "recorder," in the nineteenth line of the third page, insert the words "of conveyances."

FIFTH AMENDMENT.

After the word "recorder," in the tenth line of the fourth page, insert the words "of conveyances."

SIXTH AMENDMENT.

Strike out the words "county recorder," in the twenty-third line of the seventh page, and insert in the place thereof the words "recorder of conveyances," and strike out the words "county recorder," in the twenty-first line of the eighth page, and insert the words "recorder of conveyances" in the place thereof.

SEVENTH AMENDMENT.

Strike out the words "county recorder," in the seventh line of the ninth page, and insert in the place thereof the words "recorder of conveyances."

EIGHTH AMENDMENT.

Strike out the word "judicial," in the eleventh line of ninth page, and after the word "day" in the same line insert the words "excepting Sundays."

NINTH AMENDMENT.

Strike out the words "county recorder," in the sixteenth line of the ninth page, and insert in the place thereof the words "recorder of conveyances."

S. R. HARRINGTON,
Chairman.

On Mr. Daly's motion, Clatsop county was stricken out.

On Mr. Noyer's motion, Clackamas county was stricken out.

On Mr. Taylor's motion, Union county was stricken out.

And on motion of Mr. Noyer, the amended report was adopted.

On motion of Mr. Summers, the reading of the journal was dispensed with.

On motion of Mr. Bilyeu, the house reconsidered the vote adopting the amendments to senate bill No. 113 and moved to strike out Umatilla county.

The motion was sustained.

Mr. Bilyeu moved to adopt the report.

Motion prevailed.

Mr. Biggs moved to suspend the rules and read house bill No. 269 third time now.

Mr. Munger moved to amend by laying the motion to suspend on the table.

Lost.

On the motion to suspend the rules the roll was called and the vote was:

Those voting aye were:

Messrs. Blundell, Bowditch, Bilyeu, Biggs, Culver, Crockett, Davis, Daly, Goodsell, Gay, Holland, Hale, Harrington, Holmes, Haley, Johnson, Lockett, Mayer, Maxwell, Miller of Jackson, McLean, McKenzie, Mackay, McCully, Osborn, Pomeroy, Palmer; Roberts, Richardson, Stafford, Thompson, Taylor, Wilson, Wilcox, Mr. Speaker—35.

Nays—Messrs. Benjamin, Blevins, Gubser, Hansard, Hicks, Kruse, Lafollett of Yamhill, Layman, Laughlin, Little, Miller of Linn, Munger, Noyer, Pendleton, Paulsen, Swank, Smith, Vanderpool—18.

Absent—Messrs. Crook, Gard, Henry, Harris, Lafollett of Marion, Mitchell, Summers—7.

So the house refused to suspend the rules in favor of house bill No. 269.

House bill No. 17 read third time.

“Shall the bill pass?”

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Biggs, Lockett, Summers, Wilson, Mr. Speaker—5.

Nays—Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Hansard, Hicks, Holmes, Haley, Johnson, Kruse, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Richardson, Stafford, Swank, Smith, Thompson, Taylor, Vanderpool, Wilcox—50.

Absent—Messrs. Crook, Henry, Harris, Harrington, Roberts—5.

So house bill No. 17 failed to pass.

House bill No. 24 read third time.

“Shall the bill pass?”

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Holland, Hale, Hansard, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Mayer, Maxwell, Miller of Linn, McLean, Munger, McKenzie, Mackay, Noyer, Osborn, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox—48.

Nays—Messrs. Bowditch, Gay, Hicks, Laughlin, Little, Miller of Jackson, Mitchell, McCully, Mr. Speaker—9.

Absent—Messrs. Henry, Harris, Pomeroy—3.

So house bill No. 24 passed and the title of the bill stood for the title of the Act.

On motion of Mr. Daly, Hon. R. S. Townsend was invited within the bar.

Mr. Roberts moved to suspend the rules and read senate bill No. 57 third time.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bowditch, Bilyeu, Biggs, Crook, Culver, Daly, Goodsell, Gay, Holland, Hale, Harrington, Holmes, Little, Mayer, Maxwell, Miller of Jackson, McLean, McKenzie, Mackay, Osborn, Roberts, Taylor, Mr. Speaker—23.

Nays—Messrs. Benjamin, Blundell, Blevins, Davis, Gard, Gubser, Hansard, Hicks, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Miller of Linn, Mitchell, Munger, McCully, Noyer, Palmer, Pendleton, Paulsen, Richardson, Stafford, Swank, Summers, Smith, Thompson, Vanderpool, Wilson—32.

Absent—Messrs. Crockett, Henry, Harris, Pomeroy, Wilcox—5.

So the house refused to suspend the rules.

House bill No. 80 read third time.

“Shall the bill pass?”

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Crook, Daly, Goodsell, Gay, Holland, Holmes, Haley, Lockett, Layman, Miller of Linn, Munger, McKenzie, Osborn, Paulsen, Richardson, Stafford, Swank, Smith—20.

Nays—Messrs. Bowditch, Bilyeu, Biggs, Blevins, Culver, Davis, Gard, Gubser, Hale, Hansard, Hicks, Harris, Harrington, Johnson, Kruse, Lafollett of Marion, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, McLean, Mackay, McCully, Noyer, Palmer, Pendleton, Roberts, Summers, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—35.

Absent—Messrs. Crockett, Henry, Lafollett of Yamhill, Mitchell, Pomeroy—5.

So house bill No. 80 failed to pass.

On motion of Mr. Laughlin, Judge Laughery was invited within the bar.

House bill No. 118 was read third time.

“Shall the bill pass?”

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Davis, Daly, Gard, Gubser, Gay, Holland, Hale, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Maxwell, Miller of Jackson, Miller of Linn, McLean, Munger, McKenzie, Mackay, Noyer, Osborn, Palmer, Pendleton, Paulsen, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—49.

Nays—Mr. Lafollett of Yamhill—1.

Absent—Messrs. Crook, Crockett, Goodsell, Henry, Little, Mayer, Mitchell, McCully, Pomeroy, Roberts—10.

So house bill No. 118 passed and the title of the bill stood for the title of the Act.

House bill No. 120 was read third time.

“Shall the bill pass?”

The following amendments were unanimously adopted and inserted in house bill No. 120 at the clerk's desk:

FIRST AMENDMENT.

Strike out that part of section 1 after the word “companies” in line 12 of said section.

SECOND AMENDMENT.

Amend section 1 by adding to the word “railways” in the tenth line of said section, “*provided, however,* that said Denver & Rio Grande Western Railway shall commence the construction of said railroad in the State of Oregon within two years from the passage of this Act.

On the question “Shall the bill pass?” the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Bowditch, Bilyeu, Biggs, Culver, Daly, Gubser, Goodsell, Gay, Holland, Hale, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Osborn, Pomeroy, Palmer, Pendleton, Roberts, Richardson, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Mr. Speaker—45.

Nays—Messrs. Crockett, Davis, Johnson, Lafollett of Yamhill, Little, Mayer, Noyer, Paulsen—8.

Absent—Messrs. Blundell, Blevins, Crook, Gard, Henry, Stafford, Wilcox—7

So house bill No. 120 passed and the title of the bill stood for the title of the Act.

Mr. Mitchell moved that the committee on railways and transportation report back senate bill No. 52.

Lost.

House bill No. 183 read third time.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Culver, Hicks, Harris, Harrington, Mayer, Munger, Noyer, Osborn, Pendleton, Roberts, Stafford, Vanderpool—12.

Nays—Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Crockett, Davis, Gard, Gubser, Holland, Hale, Henry, Hansard, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Maxwell, Mitchell, McLean, McKenzie, Miller of Linn, McCully, Pomeroy, Palmer, Paulsen, Richardson, Swank, Smith, Thompson, Taylor, Wilson, Wilcox, Mr. Speaker—42.

Absent—Messrs. Daly, Goodsell, Gay, Miller of Jackson, Mackay, Summers—6.

So house bill No. 183 failed to pass.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 16, 1887. }

Mr. Speaker: Your committee on engrossed bills, to whom was referred house bill No. 229, beg leave to report the same back to the house as correctly engrossed.

J. H. ROBERTS,
Chairman.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 16, 1887. }

Mr. Speaker: Your committee on engrossed bills, to whom was referred house bill No. 268, beg leave to report the same back to the house as correctly engrossed.

J. H. ROBERTS,
Chairman.

House bill No. 239 read third time.

"Shall the bill pass?"

On this question the roll was called and the vote was :

Ayes—Mr. Benjamin—1.

Nays—Messrs. Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McCully, Noyer, Pomeroy, Palmer, Pendleton, Paulsen, Richardson, Stafford, Swank, Smith, Taylor, Vanderpool, Wilson, Mr. Speaker—48.

Absent—Messrs. Crook, Goodsell, Gay, Holland, McKenzie, Mackay, Osborn, Roberts, Summers, Thompson, Wilcox—11.

So house bill No. 239 failed to pass.

Mr. Henry offered the following

HOUSE JOINT RESOLUTION NO. 15.

WHEREAS, The funds of this State in the past have ostensibly been used to support an agricultural college at Corvallis; and,

WHEREAS, Said funds have principally been used to support a high school and no practical agriculture taught; therefore, be it

Resolved by the House, the Senate concurring :

That it is the sense of this legislature that the appropriation of the State in support of the agricultural college should and ought to be used in teaching practical agriculture and mechanical arts.

Mr. Paulsen moved the adoption of the resolution.

Mr. Davis moved to table the resolution.

Lost.

After considerable discussion of the resolution Mr. Bowditch moved the previous question.

Shall the main question be now put ?

Carried.

On the question " Will the house adopt house joint resolution No. 15," the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blevins, Culver, Goodsell, Henry, Hansard, Hicks, Harris, Holmes, Johnson, Kruse, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Maxwell, Munger, McCully, Noyer, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Smith, Thompson—29.

Nays—Messrs. Blundell, Bowditch, Bilyeu, Crook, Crockett, Davis, Daly, Gubser, Gay, Hale, Haley, Lockett, Mayer, Miller of Jackson, Mitchell, McLean, McKenzie, Pomeroy, Taylor, Vanderpool, Wilson, Mr. Speaker—22.

Absent—Messrs. Biggs, Gard, Holland, Harrington, Miller of Linn, Mackay, Osborn, Summers, Wilcox—9.

So the house refused to adopt house joint resolution No. 15.

Mr. Bilyeu moved to suspend the rules and put senate bill No. 175 on third reading.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Crook, Culver, Crockett, Davis, Daly, Gubser, Goodsell, Gay, Hale, Hicks, Harris, Haley, Layman, Laughlin, Little, Maxwell, Miller of Jackson, Mitchell, McLean, Munger, McKenzie, Osborn, Pomeroy, Palmer, Roberts, Summers, Taylor, Vanderpool, Wilson, Mr. Speaker—34.

Nays—Messrs. Blevins, Henry, Hansard, Johnson, Kruse, Lafollett of Marion, Lafollett of Yamhill, Mayer, Miller of Linn, McCully, Noyer, Pendleton, Richardson, Stafford, Swank, Smith, Thompson—17.

Absent—Messrs. Biggs, Gard, Holland, Harrington, Holmes, Lockett, Mackay, Paulsen, Wilcox—9.

So the house refused to suspend the rules.

House bill No. 5 read third time.

“Shall the bill pass?”

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Crook, Gard, Holmes, Haley, Mayer, Miller of Jackson, Noyer—7.

Nays—Messrs. Benjamin, Blundell, Bowditch, Blevins, Culver, Crockett, Gubser, Henry, Hansard, Hicks, Harris, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Miller of Linn, McLean, McKenzie, McCully, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Richardson, Stafford, Swank, Summers, Smith, Taylor, Vanderpool, Wilson, Mr. Speaker—37.

Absent—Messrs. Bilyeu, Biggs, Davis, Daly, Goodsell, Gay, Holland, Hale, Harrington, Maxwell, Mitchell, Munger, Mackay, Roberts, Thompson, Wilcox—16.

So house bill No. 5 failed to pass.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 16, 1887. }

Mr. Speaker: I am directed by the President to inform you that senate bill No. 62 has been reported correctly enrolled.

And the same is herewith transmitted to you for your signature.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, February 16, 1887. }

Mr. Speaker: I am directed by the President to inform you that senate bill No. 81 has been reported correctly enrolled.

And the same is herewith transmitted to you for your signature.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, February 16, 1887. }

Mr. Speaker: I am directed by the President to inform you that senate bill No. 180 has been reported correctly enrolled.

And the same is herewith transmitted to you for your signature.

E. G. HURSH,
Chief Clerk.

The Chair announced that he was about to sign senate bills Nos. 62, 81 and 180, and subsequently that he had signed them.

House bill No. 156 read third time.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blundell, Bowditch Bilyeu, Blevins, Culver, Crockett, Daly, Gard, Gubser, Hale, Hansard, Harris, Haley, Kruse, Mayer, Munger, McKenzie, Noyer, Pomeroy, Paulsen, Roberts, Stafford, Summers—23.

Nays—Messrs. Benjamin, Gay, Hicks, Holmes, Johnson, Lockett, Lafollett of Marion, Layman, Laughlin, Little, Miller of Linn, McLean, McCully, Osborn, Palmer, Pendleton, Richardson, Swank, Smith, Taylor, Wilson, Mr. Speaker—22.

Absent—Messrs. Biggs, Crook, Davis, Goodsell, Holland, Henry, Harrington, Lafollett of Yamhill, Maxwell, Miller of Jackson, Mitchell, Mackay, Thompson, Vanderpool, Wilcox—15.

So house bill No. 156 failed to pass.

Mr. Bilyeu moved that when the house adjourn this afternoon it shall adjourn to meet at 7:30 P. M., for the purpose of considering educational, incorporation and other bills.

Carried.

House bill No. 213 read third time.

Before taking vote on its passage the call of the house was demanded by Messrs. Munger and Summers.

The roll was called and those absent were Messrs. Benjamin, Blundell, Biggs, Crook, Harrington, Miller of Jackson, Mackay, Wilcox—8.

And the Chair ordered the Sergeant-at-Arms to bring in the absentees.

During the absence of the Sergeant-at-Arms, Mr. Mitchell moved to dispense with further proceedings under call of the house.

Lost.

Mr. Bilyeu moved to adjourn.

Lost.

Messrs. Hansard, Benjamin, Blundell, Gay, Biggs, Harrington, Wilcox and Crook were brought in by the Sergeant-at-Arms and noted present.

On motion of Mr. Paulsen, further proceedings under call of the house were dispensed with.

Mr. Munger moved the main question be now put.

Carried.

"Shall house bill No. 213 pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bilyeu, Blevins, Crockett, Daly, Gard, Gubser, Lafollett of Yamhill, Mayer, Mitchell, Munger, Noyer, Pomeroy, Paulsen, Roberts, Stafford, Mr. Speaker—16.

Nays—Messrs. Benjamin, Blundell, Bowditch, Biggs, Crook, Culver, Davis, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Little, Maxwell, Miller of Linn, McLean, McKenzie, Mackay, McCully, Osborn, Palmer, Pendleton, Richardson, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox—13.

Absent—Mr. Miller of Jackson—1.

So house bill No. 213 failed to pass.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 16, 1887. }

Mr. Speaker: I am directed by the President to inform you that senate bill No. 149 has been reported correctly enrolled.

And the same is herewith transmitted to you for your signature.

E. G. HURSH,
Chief Clerk.

By consent the committee on judiciary submitted the following

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 14, 1887. }

Mr. Speaker: Your committee on judiciary, to whom was referred house bill No. 208, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do not pass.

S. R. HARRINGTON,
Chairman.

And the bill was considered engrossed and passed to third reading.

The Chair announced that he was about to sign senate bill No. 149, and subsequently that he had signed it.

House bill No. 117 read third time.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bilyeu, Blevins, Culver, Davis, Daly, Gard, Gubser, Gay, Hale, Henry, Hansard, Hicks, Harrington, Holmes, Haley, Lafollett of Marion, Lafollett of Yamhill, Laughlin, Little, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Pomeroy, Pendleton, Paulsen, Roberts, Summers, Smith, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—38.

Nays—Messrs. Bowditch, Biggs, Crook, Crockett, Holland, Harris, Johnson, Kruse, Lockett, Layman, Mayer, Maxwell, Miller of Linn, Noyer, Osborn, Palmer, Richardson, Stafford, Swank, Thompson—20.

Absent—Messrs. Goodsell, Miller of Jackson—2.

So house bill No. 117 passed and the title of the bill stood for the title of the Act.

On motion of Mr. Hale, the house adjourned.

EVENING SESSION.

House called to order at 7:30 P. M. by the Speaker.

The roll was called and those absent were Messrs. Bowditch, Harris, Chas. Lafollett, I. D. Miller, Mitchell, McCully and Wilcox.

Mr. Richardson moved to reconsider the vote by which house bill No. 156 failed to pass.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bilyeu, Biggs, Blevins, Gard, Goodsell, Hale, Henry, Hansard, Harrington, Haley, Miller of Jackson, Munger, McKenzie, Mackay, Noyer, Paulsen, Richardson, Stafford, Summers, Mr. Speaker—20.

Nays—Messrs. Benjamin, Blundell, Bowditch, Culver, Crockett, Davis, Gubser, Gay, Hicks, Holmes, Johnson, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Little, Mayer, McLean, McCully, Osborn, Pomeroy, Palmer, Pendleton, Swank, Smith, Thompson, Taylor, Vanderpool, Wilson—30.

Absent—Messrs. Crook, Daly, Holland, Harris, Lafollett of Yamhill, Maxwell, Miller of Linn, Mitchell, Roberts, Wilcox—10.

So the house refused to reconsider.

Mr. Noyer moved to take up house bill No. 226.

Mr. Thompson rose to point of order that house bill No. 226 was not included in the special order for the evening.

The Chair sustained the point of order.

Mr. Daly moved to reconsider the vote by which house bill No. 120 passed.

Pending the question, on motion of Mr. Blundell, the house adjourned.

THURSDAY, FEBRUARY 17, 1887.

MORNING SESSION.

HOUSE OF REPRESENTATIVES,
SALEM, February 17, 1887. }

House called to order at 9:30 A. M., the Speaker in the chair.

Prayer by Rev. M. L. Rugg of Salem.

The roll was called and those absent were Messrs. Benjamin, Crook, Hansard and Johnson.

On motion of Mr. Summers, the reading of the journal was dispensed with.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 16, 1887. }

Mr. Speaker: Your committee on enrolled bills, to whom was

referred house bill No. 145, beg leave to report the same back to the house as correctly enrolled.

JOHN WILSON,
Chairman.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, February 16, 1887. }

Mr. Speaker: Your committee on enrolled bills, to whom was referred house joint resolution No. 12, beg leave to report the same back to the house as correctly enrolled.

JOHN WILSON,
Chairman.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, February 16, 1887. }

Mr. Speaker: Your committee on enrolled bills, to whom was referred house bill No. 94, beg leave to report the same back to the house as correctly enrolled.

JOHN WILSON,
Chairman.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, February 16, 1887. }

Mr. Speaker: Your committee on enrolled bills, to whom was referred house bill No. 59, beg leave to report the same back to the house as correctly enrolled.

JOHN WILSON,
Chairman.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, February 16, 1887. }

Mr. Speaker: Your committee on enrolled bills, to whom was referred house bill No. 60, beg leave to report the same back to the house as correctly enrolled.

JOHN WILSON,
Chairman.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 16, 1887. }

Mr. Speaker: Your committee on enrolled bills, to whom was referred house bill No. 96, beg leave to report the same back to the house as correctly enrolled.

JOHN WILSON,
Chairman.

The Chair announced that he was about to sign house bills Nos. 145, 94, 60, 59, 96, and house joint resolution No. 12, and subsequently that he had signed the same.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 16, 1887. }

Mr. Speaker: I am directed by the President to inform you that he has signed house bill No. 66.

And the same is herewith transmitted.

E. G. HURSH,
Chief Clerk.

And the bill went to the Governor.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 16, 1887. }

Mr. Speaker: I am directed by the President to inform you that he has signed house bill No. 204.

And the same is herewith transmitted.

E. G. HURSH,
Chief Clerk.

And the bill went to the Governor.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 16, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed senate bill No. 175, being a bill for an Act to provide for the propagation and preservation of salmon and other food fishes in the State of Oregon.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Mr. Bilyeu moved to suspend the rules and read senate bill No. 175 first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Little, Mayer, Maxwell, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—56.

Nays—None.

Absent—Messrs. Benjamin, Holland, Laughlin, Miller of Jackson—4.

So the rules were suspended and senate bill No. 175 was read first time by title only.

Mr. Bilyeu moved to further suspend the rules and read the bill second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gubser, Goodsell, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Mayer, Maxwell, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Paulsen, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—52.

Nays—None.

Absent—Messrs. Benjamin, Gard, Gay, Holland, Little, Miller of Jackson, Pendleton, Roberts—8.

So the rules were suspended and senate bill No. 175 was read second time by title only and passed to third reading.

On motion of Mr. Summers the house ordered that all reports pending on house bills of this session be indefinitely postponed.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, February 16, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has indefinitely postponed house bill No. 69, being a bill for an Act to amend the Act to create the county of Gilliam, etc.

And the same is herewith transmitted to you.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, February 16, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has adopted senate joint memorial No. 9, relating to the mutilation of senate joint memorial No. 6, of special session of the legislative assembly of 1885, relating to a certain wagon road.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

On motion of Mr. Johnson, the house concurred in senate joint memorial No. 9.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, February 16, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has adopted senate joint resolution No. 18, instructing and requesting Senators and Representative in congress for the passage of an Act to reimburse certain settlers.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Mr. Paulsen moved the adoption of senate joint resolution No. 18. On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins,

Crook, Culver, Crockett, Davis, Gard, Gubser, Goodsell, Gay, Holland, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—57.

Nays—None.

Absent—Messrs. Daly, Hale, Lafollett of Marion—3.

So senate joint resolution No. 18 was adopted.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 16, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has adopted senate concurrent resolution No. 13, authorizing the board of building commissioners of the State of Oregon to furnish the officers of the Oregon Childrens' Aid Society 250,000 brick.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

On motion of Mr. McLean, the house concurred in senate concurrent resolution No. 13.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 16, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has adopted senate concurrent resolution No. 14, providing for the compensation of clerks of joint committees.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

On motion of Mr. Harrington, the house concurred in senate concurrent resolution No. 14.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 16, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has adopted senate joint resolution No. 19, asking that the names of the soldiers of the Cayuse war be sent to congress by the Secretary of State, and that congress place them on the pension rolls of the United States.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Mr. Laughlin moved to concur in senate joint resolution No. 19. On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—58.

Nays—None.

Absent—Messrs. Gay, Pomeroy—3.

So senate joint resolution No. 19 was concurred in by the house.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 16, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has adopted senate joint resolution No. 20, authorizing the Secretary of State to furnish members of the present legislative assembly with Hill's annotated code and the 12th and 13th volumes of Oregon reports.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Mr. Hansard moved to adopt senate joint resolution No. 20.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Biggs, Blevins, Crook, Culver, Crockett, Davis, Gard, Gubser, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Holmes, Johnson, Kruse, Lockett, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Linn, McLean, McKenzie, Mackay, McCully, Noyer, Pomeroy, Palmer, Pendleton, Roberts, Richardson, Stafford, Swank, Summers, Taylor, Vanderpool, Wilcox—44.

Nays—Messrs. Bilyeu, Daly, Goodsell, Harrington, Haley, Lafollett of Marion, Miller of Jackson, Mitchell, Mackay, Osborn, Paulsen, Smith, Thompson, Mr. Speaker—14.

Absent—Messrs. Munger, Wilson—2.

So the house concurred in senate joint resolution No. 20.

Mr. Pomeroy, from committee on books of Secretary of State and of school land commissioners, by consent, made report as follows:

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 15, 1887. }

Mr. Speaker: Your committee, appointed under house concurrent resolution No. 8, to examine the books and accounts of the Secretary of State and those of the board of commissioners for the sale of school and university lands, have completed our labors and beg leave to report as follows:

We have, with the assistance of competent accountants, pursued our investigation in as thorough and comprehensive a manner as the time at our disposal would permit. We find that the records in the office of the Secretary of State have been kept in a neat and systematic manner, with a view of their being accurate and of easy reference. Records and indexes have been regularly kept and papers have been so filed and recorded as to make each class of easy access. We have carefully compared the stubs of the warrant books with the entries as made in the abstract of warrants from which the Secretary's biennial report is made, and have also compared the vouchers with the corresponding entries in the aforesaid abstract, and find that they have been correctly entered under their appropriate headings and the amounts carried forward from page to page showing the condition of the various funds at any date required.

We have also compared the duplicate receipts of the State Treasurer as filed in the Secretary's office with the abstract of the same and find them correctly entered and the footings carried forward to the ledger, the face of which shows the exact condition of the various

funds. The expenditures have in all cases been restricted to the rates and amounts fixed by law, and in all matters in which the Secretary of State has had the exercise of discretionary powers, careful supervision and economy has been observed. We have been shown the various details of this department and note with interest the care taken by the Secretary of State in the care and protection of the State records. The most important of these which have accumulated during Mr. Earhart's eight years' administration have been carefully segregated and re-arranged in their regular order, from September 9, 1878, to December 31, 1886, inclusive, and properly labeled, and have been placed in the vault for further protection and future reference. We have been shown the deeds to the lands belonging to the State and upon which the various public buildings are erected, as well as the insurance policies covering many of the buildings owned by the State. Official oaths and bonds, vouchers, insane commitments, articles of incorporation, election returns and trade marks have all been systematically indexed, filed and recorded. The manuscript laws of every legislative assembly convened since the organization of the State are substantially bound and carefully preserved. The original constitution of the State of Oregon as signed by the members of the constitutional convention of 1857, as well as the original copy of the proceedings of that honorable body, are filed in the archives, in which may also be found the printed laws and journals of the various sessions of the legislative assemblies. Records are also kept of notarial and other executive appointments, both civil and military; of the emolument returns of the clerks, sheriffs and district attorneys; of the patients committed to the insane asylum, as well as many other matters of public importance in which large interests are at stake. The records of the Provisional and Territorial Government are also carefully preserved. The books and accounts are neatly and accurately kept, and in view of the limited allowance heretofore made for clerical aid in that department they are comprehensive and exhaustive in detail, reflecting great credit upon the Secretary of State, Hon. R. P. Earhart, and his worthy assistant, Major F. E. Hodgkin, under whose direct and personal supervision the work has been systematized and performed.

We have also carefully examined the books and accounts of the board of land commissioners and find that they have been well and correctly kept, all amounts received properly charged and turned over to the State Treasurer. The accounts for lands sold have been carefully compared with the entries in the cash books and with the endorsements on the notes given for deferred payments, and we find the same complete and accurate, and we find the system of accounts

and the general manner of conducting the business of the office to be plain, comprehensive and complete, and reflects great credit upon the clerk of the board, Mr. E. P. McCornack. The records of the board are neatly kept, the papers all systematically arranged and careful business management apparent throughout the entire office.

Respectfully submitted,

G. A. STEEL (Chairman),
E. P. COLEMAN,
M. POMEROY,
W. H. HARRIS,
ROBERT A. MILLER,
Committee.

On motion of Mr. Summers, the report was adopted.

The committee on ways and means reported house bill No. 270, appropriations in general.

JOINT CONVENTION.

The honorable senate of the State of Oregon came within the bar of the house, President Carson presiding.

The Clerk of the senate called the roll of the senate, and all the Senators were present.

The Clerk of the house called the roll of the house, and Mr. Munger was absent.

The President stated the object of the joint convention to be the election of three Pilot Commissioners and one State Librarian, and announced nominations for Pilot Commissioners in order.

Senator Hare nominated Messrs. L. Wilson, J. A. Brown and Captain A. Noyes.

Mr. Bilyeu nominated Mr. C. Leinenweber.

On motion of Mr. Hare, the convention ordered that as each member's name should be called he should announce the three candidates of his choice.

The President ordered the Clerk of the senate to call the joint roll.

Those voting for L. Wilson were:

Messrs. Allen, Barin, Bird, Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Cartwright, Chandler, Chamberlin, Crook, Culver, Crockett, Dawson, Dimick, Davis, Emmett, Gray, Gard, Gubser, Goodsell, Gay, Hare, Hamilton, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Irvine, Johnson, Kruse, Lee, Looney, Lockett, Lafollett of Marion, Lafollett of Yamhill, Lay-

man, Laughlin, Little, Miller, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Rinehart, Roberts, Richardson, Siglin, Shupe, Simon, Stanley, Steel, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Williams, Weatherford, Wager, Watts, Wilson, Wilcox, Mr. President, Mr. Speaker—85.

Those voting for Mr. J. A. Brown were:

Messrs. Allen, Barin, Bird, Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Crook, Culver, Crockett, Dawson, Dimick, Davis, Daly, Emmett, Gray, Gard, Gubser, Goodsell, Gay, Hare, Hamilton, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Irvine, Johnson, Kruse, Lee, Looney, Lockett, Layman, Laughlin, Little, Miller of Josephine, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Rinehart, Roberts, Richardson, Siglin, Shupe, Simon, Stanley, Steel, Stafford, Swank, Summers, Smith, Thompson, Vanderpool, Williams, Wager, Watts, Wilson, Wilcox, Mr. President, Mr. Speaker—84.

Those voting for Mr. A. Noyes were:

Messrs. Allen, Barin, Bird, Benjamin, Blundell, Coleman, Cauthorn, Chamberlin, Culver, Dawson, Dimick, Daly, Emmett, Gray, Gard, Gubser, Goodsell, Gay, Hare, Hicks, Harris, Haley, Lee, Looney, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, McLean, Munger, McCully, Pomeroy, Palmer, Roberts, Shupe, Simon, Steel, Summers, Smith, Taylor, Williams, Weatherford, Watts, Mr. Speaker—44.

Those voting for Mr. C. Leinenweber were:

Messrs. Bowditch, Bilyeu, Biggs, Blevins, Coleman, Cartwright, Chandler, Cauthorn, Crook, Crockett, Davis, Daly, Hamilton, Holland, Hale, Henry, Hansard, Harrington, Holmes, Haley, Irvine, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Little, Miller of Josephine, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, Munger, McKenzie, Mackay, Noyer, Osborn, Pendleton, Paulsen, Rinehart, Richardson, Siglin, Stanley, Stafford, Swank, Thompson, Taylor, Veatch, Vanderpool, Weatherford, Wager, Wilson, Wilcox, Mr. President—55.

Messrs. L. Wilson, J. A. Brown and C. Leinenweber having each received a majority of all votes cast were declared by the President duly elected Pilot Commissioners for the ensuing two years.

The President then announced nominations for State Librarian to be in order, and Senator Watts nominated J. B. Putnam, and Mr. Mitchell nominated John Goodell.

Those voting for J. B. Putnam were:

Messrs. Allen, Barin, Bird, Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Coleman, Cartwright, Chandler, Chamberlin, Crook, Culver, Crockett, Dawson, Dimick, Davis, Daly, Emmett, Gray, Gard, Gubser, Goodsell, Gay, Hare, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Irvine, Johnson, Kruse, Lee, Looney, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Miller of Josephine, Mayer, Maxwell, Miller of Linn, McLean, Munger, McKenzie, Mackay, McCully, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Shupe, Simon, Steel, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Williams, Weatherford, Wager, Watts, Wilson, Wilcox, Mr. President, Mr. Speaker—81.

Those voting for John Goodell were:

Messrs. Cauthorn, Hamilton, Lockett, Mitchell, Rinehart, Siglin, Stanley, Veatch—8.

J. B. Putnam having received a majority of all the votes cast was declared by the President duly elected State Librarian for the ensuing two years.

On motion of Senator Hare, the joint convention dissolved.

IN THE HOUSE.

MESSAGE FROM THE GOVERNOR.

STATE OF OREGON,
EXECUTIVE DEPARTMENT,
SALEM, February 16, 1887. }

To the Honorable the Speaker of the House:

I am directed by the Governor to inform you that he has signed the following bills:

HOUSE BILL NO. 123.

An Act to fix the salary of the State superintendent of the Oregon State penitentiary.

HOUSE BILL NO. 149.

An Act to define the boundary line between Yamhill and Tillamook counties.

HOUSE BILL NO. 18.

An Act to relocate the county seat of Yamhill county, Oregon; to provide for the submission of said relocation to the voters of said county, and regulate the manner and fix the time of said submission, and the construction of its county buildings.

HOUSE BILL NO. 13.

An Act entitled "An Act to amend section 14 of title 1 of chapter 28, general laws of Oregon, being section 686, chapter 8, criminal code, published in 1874 by authority of the legislative assembly of the State of Oregon, as amended October 17, 1876."

HOUSE BILL NO. 188.

An Act to amend section 25, title 2, chapter 8 of the miscellaneous laws of Oregon, as compiled by Matthew P. Deady and Lafayette Lane.

HOUSE BILL NO. 109.

An Act to prevent persons from unlawfully using or wearing the badge of the Grand Army of the Republic of this State.

SENATE BILL NO. 102.

An Act to amend the Act incorporating city of Silverton.

SENATE BILL NO. 135.

An Act to amend section 8 of an Act entitled "An Act to create the county of Crook and to fix the salaries of county judge and treasurer thereof," approved October 24, 1882.

SENATE BILL NO. 153.

An Act to amend an Act entitled "An Act to incorporate the city of Portland," approved October 24, 1882.

SENATE BILL NO. 90.

An Act amending sections 2 and 3 of an Act entitled "An Act to incorporate the town of Marshfield," approved October 24, 1874.

SENATE BILL NO. 156.

An Act to provide for the times of holding the terms of the circuit court in the fifth judicial district.

SENATE BILL NO. 163.

An Act to amend an Act entitled "An Act to incorporate the city of McMinnville in the county of Yamhill, State of Oregon, and repeal an Act to incorporate the town of McMinnville in the county of Yamhill, State of Oregon, approved October 20, 1876, and also an Act entitled 'An Act to amend an Act entitled An Act to incorporate the town of McMinnville, county of Yamhill, State of Oregon, approved October 20, 1876 (October 15, 1880),' approved October 21, 1882, and also to amend an Act entitled 'An Act to amend an Act entitled An Act to incorporate the city of McMinnville in the county of Yamhill, State of Oregon, approved October 21, 1882, and repeal an Act to incorporate the town of McMinnville in the county of Yamhill, State of Oregon,' approved October 20, 1876, and also an Act entitled 'An Act to amend an Act entitled An Act to incorporate the town of McMinnville, county of Yamhill, State of Oregon, approved October 20, 1876 (October 15, 1880),' approved February 5, 1885."

And the same have been filed this day in the office of Secretary of State.

WM. A. MUNLY,
Private Secretary.

Mr. Taylor moved the rules be suspended and house bill No. 270, general appropriations, be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Biggs, Blevins, Crook, Culver, Crockett, Davis, Gard, Gubser, Goodsell, Gay, Holland, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, McLean, Munger, McKenzie, Mackay, McCully, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—53.

Nays—None.

Absent—Messrs. Bilyeu, Daly, Hale, Miller of Linn, Mitchell, Noyer, Roberts—7.

So the rules were suspended and house bill No. 270 read first time by title only.

Mr. Mayer, from special committee on fish ladder, made the following report by unanimous consent:

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 16, 1887. }

Mr. Speaker: We, your committee composing members of the house on house and senate joint resolution No. 3, appointed to investigate the disposition of funds appropriated by the session of the legislature of 1885 for the purpose of building a fishway at the falls of Oregon City, Oregon, after careful examination we find that the amount of the appropriation was \$10,750. That Mr. Wallace Baldwin was appointed commissioner with authority to authorize the construction of said fishway or fish-ladder. We find in our examination that Mr. Baldwin expended to the San Francisco Bridge Company \$9,750; to Mr. Webber for making survey, plans and superintending the work during construction \$450; attorneys' fees, \$85; to Wallace Baldwin, salary, \$200; to Wallace Baldwin for traveling expenses, \$275. Leaving a balance still on hand of \$40. We find the "ladder," from the best information we can get, to be very greatly damaged and in its present state almost worthless. We are unable to approximate the amount of damage sustained, but in our limited knowledge we think it would take an appropriation fully equal to the last amount appropriated to build a fish-ladder that would resist the action of the water and drift. We find, in our judgment, that the expenditure of the funds by the commissioner were not judiciously expended, that he was derelict in his duty in contracting with the San Francisco Bridge Company without having first given a general proposal for bids, as it appears he awarded them the contract on their proposal received in 1884 in answer to his advertised proposal for bids of June 30, 1884. We find the San Francisco Bridge Company did not construct the fishway or ladder as called for in the specifications, said specifications calling for solid masonry steps or stops; whereas, we find they were constructed of small rock cemented together, with cap stones on each. We believe that, while we think the commissioner endeavored to fulfill the office faithfully and honestly, he did not use the care and judgment he should have done in guarding the funds of the State.

Respectfully submitted,

J. B. JOHNSON,
W. W. RICHARDSON,
LARAMIE MAYER,
Chairman.

Mr. Bowditch moved to print 400 copies of the report.

Mr. Bilyeu moved to amend by spreading the report on the journal.

Carried.

By consent, the committee on mileage of special committees made the following

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 14, 1887. }

Mr. Speaker: Your committee on mileage of special committees beg leave to submit the following report:

The special committee to investigate the portage at The Dalles and Celilo and the locks at the Cascades are entitled to mileage as follows:

PORTAGE AT THE DALLES AND CELILO.

NAMES.	MILES.	AMOUNT DUE.
P. P. Palmer.....	312	\$ 46 80
J. M. Stafford.....	312	46 80
I. H. Holland.....	312	46 80
S. U. Mitchell.....	312	46 80
S. R. Harrington.....	312	46 80
B. R. Henry.....	312	46 80
E. E. Taylor.....	312	46 80
S. Layman.....	312	46 80
D. Smith.....	312	46 80
P. W. Haley.....	312	46 80

LOCKS AT OREGON CITY.

NAMES.	MILES.	AMOUNT DUE.
J. W. Maxwell.....	84	\$ 12 60
Goodsell.....	84	12 60
P. P. Palmer.....	84	12 60
W. H. Siggs.....	84	12 60
Alfred Blevins.....	84	12 60
Lovell (clerk).....	84	12 60

STATE BOARD OF IMMIGRATION.

NAMES.	MILES.	AMOUNT DUE.
C. F. Hicks.....	106	\$ 15 90
S. U. Mitchell.....	106	15 90

STATE PENITENTIARY.

NAMES.	MILES.	AMOUNT DUE.
O. Summers	2	\$ 30
I. H. Holland	2	30
Hugh McKenzie	2	30

P. S. NOYER,
Chairman.

C. F. HICKS,
I. H. HOLLAND.

(On motion of Mr. Noyer, the house adopted the report.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, February 17, 1887. }

Mr. Speaker: I am directed by the President to inform you that senate bill No. 119 has been reported as correctly enrolled.

And the same is herewith transmitted to you for your signature.

E. G. HURSH,
Chief Clerk.

The Chair announced that he was about to sign senate bill No. 119, and subsequently that he had signed it.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, February 16, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed senate bill No. 176, being a bill for an Act to license and regulate insurance business in the State.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Mr. Blundell moved to suspend the rules and read senate bill No. 176 first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bilveu, Biggs, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Henry,

Hansard, Hicks, Harris, Harrington, Holmes, Haley, Kruse, Lockett, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—54.

Nays—Mr. Bowditch—1.

Absent—Messrs. Crook, Johnson, Hale, Lafollett of Marion, Roberts—5.

So the rules were suspended, and senate bill No. 176 was read first time by title only.

Mr. Bilyeu then moved to further suspend the rules and read the bill second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Richardson, Stafford, Swank, Summers, Smith, Vanderpool, Wilson, Wilcox, Mr. Speaker—54.

Nays—None.

Absent—Messrs. Crook, Johnson, Mayer, Roberts, Thompson, Taylor—6.

So the rules were suspended and the bill was read second time by title only.

Mr. Bilyeu moved to further suspend the rules and read the bill third time and put on final passage now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harrington, Holmes, Haley, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Osborn, Pomeroy, Palmer, Pendleton, Roberts, Richardson, Stafford, Summers, Smith, Vanderpool, Wilson, Wilcox, Mr. Speaker—53.

Nays—Mr. Paulsen—1.

Absent—Messrs. Crook, Harris, Johnson, Noyer, Swank, Thompson, Taylor—7.

So the rules were suspended and senate bill No. 176 was read third time.

"Shall the bill pass?"

The joint committee on insurance was allowed to report as follows:

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 12, 1887. }

Mr. Speaker: Your joint committee on insurance, to whom was referred house bills Nos. 99, 106, 195, 196 and 154, beg leave to report that they have had the same under consideration, and would respectfully report them back to the house with the recommendation that senate bill No. 176, formulated by the joint committee, be substituted therefor, with recommendation that it do pass.

W. MUNGER,
Chairman House Committee.
G. A. STEEL,
Chairman Senate Committee.

After which, on passage of the bill, the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Crockett, Davis, Gard, Gubser, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker--54.

Nays--None.

Absent--Messrs. Culver, Daly, Goodsell, Gay, Johnson, Swank--6.
So senate bill No. 176 passed.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 17, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed house bill No. 124, being a bill for an Act to amend section 90, title 6, chapter 57, miscellaneous laws of Oregon.

And the same is herewith transmitted to you for enrollment.

E. G. HURSH,
Chief Clerk.

And the bill was ordered enrolled.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 17, 1887. }

Mr. Speaker: I am directed by the President to inform you that senate bill No. 165 has been reported correctly enrolled.

And the same is herewith transmitted to you for your signature.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 17, 1887. }

Mr. Speaker: I am directed by the President to inform you that senate joint resolution No. 16 has been reported correctly enrolled.

And the same is herewith transmitted to you for your signature.

E. G. HURSH,
Chief Clerk.

The Chair announced that he was about to sign senate bill No. 165 and senate joint resolution No. 16, and subsequently that he had signed them.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 16, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed senate bill No. 167, being a bill for an Act to license and regulate the sale of spirituous, malt or vinous liquors, and to prohibit gambling where liquor is sold.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Mr. Bilyeu moved to suspend the rules and read senate bill No. 167 first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blundell, Bilyeu, Biggs, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Lafollett of Marion, Lafollett of Yam-

hill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—50

Nays—None.

Absent—Messrs. Benjamin, Bowditch, Crook, Goodsell, Gay, Johnson, Kruse, Lockett, Pomeroy, Swank—10.

So the rules were suspended and senate bill No. 167 was read first time by title only.

Mr. Layman moved to further suspend the rules and read the bill second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Culver, Crockett, Daly, Gard, Gubser, Hicks, Holmes, Haley, Kruse, Lafollett of Marion, Layman, Laughlin, Little, Maxwell, McLean, Munger, McKenzie, Mackay, McCully, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Smith, Vanderpool, Mr. Speaker—30.

Nays—Messrs. Bowditch, Bilyeu, Biggs, Crook, Holland, Hansard, Harris, Harrington, Johnson, Lockett, Mayer, Miller of Jackson, Miller of Linn, Mitchell, Noyer, Osborn, Taylor, Wilson—28.

Absent—Messrs. Blundell, Blevins, Davis, Goodsell, Gay, Hale, Henry, Lafollett of Yamhill, Swank, Summers, Thompson, Wilcox—12.

So the house refused to suspend the rules and senate bill No. 167 passed to second reading in its order.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 17, 1887. }

Mr. Speaker: I am directed by the President to inform you that he has signed house bill No. 60.

And the same is herewith transmitted to you.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 17, 1887. }

Mr. Speaker: I am directed by the President to inform you that he has signed house bill No. 145.

And the same is herewith transmitted to you.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 17, 1887. }

Mr. Speaker: I am directed by the President to inform you that he has signed house bill No. 59.

And the same is herewith transmitted to you.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 17, 1887. }

Mr. Speaker: I am directed by the President to inform you that he has signed house bill No. 94.

And the same is herewith transmitted to you.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 17, 1887. }

Mr. Speaker: I am directed by the President to inform you that he has signed house bill No. 96.

And the same is herewith transmitted to you.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 17, 1887. }

Mr. Speaker: I am directed by the President to inform you that he has signed house joint resolution No. 12.

And the same is herewith transmitted to you.

E. G. HURSH,
Chief Clerk.

The bills were sent to the Governor and the house joint resolution to the Secretary of State.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 16, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed senate bill No. 127, being a bill for an Act to amend section 13 of chapter 23 of the miscellaneous laws of Oregon.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Senate bill No. 127 read first time and passed to second reading without a question.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 16, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed senate bill No. 122, being a bill for an Act to provide for the appointment of a boatman at Astoria, Clatsop county, Oregon.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Senate bill No. 122 read first time and passed to second reading without a question.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 16, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed senate bill No. 184, being a bill for an Act to provide for the times and places of holding the circuit court in the sixth judicial district.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Senate bill No. 184 read first time.

Mr. Taylor moved to suspend the rules and read the bill second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Blevins, Crook, Culver, Davis, Daly, Gard, Gubser, Gay, Holland, Hale, Henry, Hansard, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Yamhill, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, McLean, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Smith, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—49.

Nays—Messrs. Lafollett of Marion, Munger—2.

Absent—Messrs. Biggs, Crockett, Goodsell, Hicks, Harris, Layman, Mitchell, Summers, Thompson—9.

So the rules were suspended and senate bill No. 184 was read second time by title only.

Mr. Harrington moved to adjourn.

Lost.

Mr. Holland moved to further suspend the rules and read senate bill No. 184 third time and put on passage now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Daly, Gard, Gubser, Gay, Hale, Henry, Hansard, Hicks, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Yamhill, Laughlin, Little, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Summers, Smith, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—49.

Nays—Messrs. Lafollett of Marion, Mayer, Munger—3.

Absent—Messrs. Davis, Goodsell, Holland, Harris, Harrington, Layman, Swank, Thompson—8.

So the rules were suspended and senate bill No. 184 read third time.

“Shall the bill pass?”

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Daly, Gard, Gubser, Gay, Holland, Hale, Henry, Hansard, Hicks, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer,

Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Richardson, Stafford, Swank, Summers, Smith, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—52.

Nays—None.

Absent—Messrs. Bowditch, Davis, Goodsell, Harris, Harrington, Munger, Roberts, Thompson,—8.

So senate bill No. 184 passed.

On motion of Mr. Lockett, the house adjourned.

AFTERNOON SESSION.

House called to order at 1:30 P. M., the Speaker in the chair.

The roll was called and those absent were Messrs. Benjamin, Bilyeu, Hale, Little, Noyer, Osborn and Roberts.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, February 16, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed senate bill No. 154, being a bill for an Act to amend section 4, chapter 26 of the miscellaneous laws of Oregon, as compiled by M. P. Deady and Lafayette Lane.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Senate bill No. 154 read first time and passed to second reading without a question.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, February 17, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed house bill No. 177, being a bill for an Act to fix the salaries of county school superintendents with the herein enclosed amendments.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

FIRST AMENDMENT.

I move to amend line 6, printed bill, by striking out after the word "county" the words "four hundred" and insert the words "three hundred."

J. H. D. GRAY.

SECOND AMENDMENT.

I move to amend house bill No. 177 by inserting "three hundred dollars" in lieu of "five hundred dollars" in line 15 of printed bill.

MILLER.

THIRD AMENDMENT.

In line 20 strike out "eight hundred dollars" and insert "six hundred dollars."

J. B. DIMICK.

FOURTH AMENDMENT.

Amend bill by striking out in line 5 of section 1 the word "seven" and insert in lieu thereof the word "five."

BARIN.

Senate amendments to house bill 177 read.

Mr. Summers called to the chair.

Mr. Gubser moved to adopt the amendments.

Mr. Gregg protested against the amendment so far as Marion county was concerned, and endeavored to show that the adoption of the amendments would cripple the efficiency of the common school system.

Mr. Daly moved to table the amendments.

The motion carried.

With the amendments the bill was carried to the table.

Mr. Speaker took the chair.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 15, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed senate bill No. 182, being a bill for an Act di-

recting the Governor to submit the constitutional amendments to the electors at a special election.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Senate bill No. 182 read first time.

Mr. Goodsell moved to suspend the rules and read second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Goodsell, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, Munger, McKenzie, Mackay, McCully, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—52.

Nays—Mr. Johnson—1.

Absent—Messrs. Gubser, Gay, Mayer, McLean, Noyer, Osborn, Summers—7.

So the rules were suspended and senate bill No. 182 was read second time by title.

Mr. Bilyeu moved to further suspend the rules and read third time and put on final passage now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Bilyeu, Biggs, Blevins, Culver, Davis, Daly, Gard, Goodsell, Gay, Hale, Henry, Hicks, Holmes, Haley, Kruse, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Maxwell, Miller of Linn, Mitchell, McLean, Munger, McKenzie, McCully, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Stafford, Summers, Smith, Thompson, Taylor, Vanderpool, Wilcox, Mr. Speaker—41.

Nays—Messrs. Bowditch, Crook, Crockett, Hansard, Harris, Harrington, Johnson, Lockett, Mayer, Miller of Jackson, Mackay, Noyer, Osborn, Richardson, Swank, Wilson—16.

Absent—Messrs. Blundell, Gubser, Holland—3.

So the rules were suspended and senate bill No. 182 was read third time.

“Shall the bill pass?”

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bilyeu, Biggs, Blevins, Crook, Culver, Davis, Daly, Gard, Goodsell, Gay, Holland, Henry, Hansard, Hicks, Holmes, Haley, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Sumners, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—51.

Nays—Messrs. Bowditch, Hale, Harris, Harrington, Johnson—5.

Absent—Messrs. Crockett, Gubser, Miller of Jackson, Swank—4.

So senate bill No. 182 passed.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 15, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed senate bill No. 80, being a bill for an Act defining vagrants and providing a penalty for vagrancy.

And the same is herewith transmitted to you.

E. G. HURSH,
Chief Clerk.

Senate bill No. 80 read first time.

Mr. Davis moved to suspend the rules and read the bill second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Davis, Daly, Gard, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Johnson, Kruse, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Linn, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Palmer, Pendleton, Paulsen, Roberts, Stafford, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—49.

Nays—Messrs. Gubser, Haley—2.

Absent—Messrs. Blundell, Crockett, Goodsell, Lockett, Miller of Jackson, Mitchell, Pomeroy, Richardson, Swank—9.

So the rules were suspended and senate bill No. 80 was read second time by title only.

Mr. Summers moved to further suspend the rules and read third time and put on passage now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Holmes, Johnson, Kruse, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer Maxwell, Miller of Jackson, Miller of Linn, McLean, Munger, Mackay, McCully, Noyer, Osborn, Palmer, Pendleton, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—51.

Nays—Messrs. Haley, Paulsen—2.

Absent—Messrs. Blundell, Harrington, Lockett, Lafollett of Marion, Mitchell, McKenzie, Pomeroy—7.

So the rules were suspended and senate bill No. 80 was read third time.

“Shall the bill pass?”

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Bowditch, Bilyeu, Blevins, Crook, Culver, Davis, Gubser, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, Mackay, McCully, Noyer, Pendleton, Roberts, Richardson, Stafford, Swank, Summers, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—43.

Nays—Messrs. Daly, Gard, Haley, Johnson, Kruse, Maxwell, Osborn, Palmer, Paulsen—9.

Absent—Messrs. Blundell, Biggs, Crockett, Goodsell, Lockett, McKenzie, Pomeroy, Smith—8.

So senate bill No. 80 passed.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 17, 1887. }

Mr. Speaker: I am directed by the President to inform you that senate bill No. 137 has been reported correctly enrolled.

And the same is herewith transmitted to you for your signature.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 16, 1887. }

Mr. Speaker: I am directed by the President to inform you that

senate joint resolution No. 20 has been reported correctly enrolled.

And the same is herewith transmitted to you for your signature.

E. G. HURSH,
Chief Clerk.

The Chair announced that he was about to sign senate bill No. 137 and senate joint resolution No. 20 and subsequently that he had signed them.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 15, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed senate bill No. 178, being a bill for an Act to amend the city charter of Haley, Linn county, Oregon.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Mr. Davis moved to suspend the rules and read senate bill No. 178 first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Bowditch, Bilyeu, Blevins, Crook, Culver, Davis, Gard, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Mayer, Maxwell, Miller of Jackson, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Palmer, Pendleton, Richardson, Stafford, Swank, Smith, Thompson, Vanderpool, Wilson, Wilcox, Mr. Speaker—46.

Nays—None.

Absent—Messrs. Blundell, Biggs, Crockett, Daly, Gubser, Goodsell, Lockett, Little, Miller of Linn, Pomeroy, Paulsen, Roberts, Summers, Taylor—14.

So the rules were suspended and senate bill No. 178 was read first time by title only.

Mr. Henry moved to further suspend the rules and read the bill second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Bowditch, Biggs, Blevins, Culver, Davis, Daly, Gard, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of

Marion, Lafollett of Yamhill, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Palmer, Pendleton, Paulsen, Richardson, Stafford, Swank, Smith, Thompson, Vanderpool, Wilson, Wilcox, Mr. Speaker—49.

Nays—Mr. Layman—1.

Absent—Messrs. Blundell, Bilyeu, Crook, Crockett, Gubser, Goodsell, Pomeroy, Roberts, Summers, Taylor—10.

So the rules were suspended and senate bill No. 178 was read second time by title only.

Mr. Henry moved to further suspend the rules and read the bill third time and put on its final passage now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bowditch, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Laughlin, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Palmer, Pendleton, Paulsen, Richardson, Stafford, Swank, Smith, Thompson, Vanderpool, Wilcox, Mr. Speaker—46.

Nays—Messrs. Benjamin, Layman—2.

Absent—Messrs. Blundell, Bilyeu, Gubser, Goodsell, Little, Mayer, Maxwell, Pomeroy, Roberts, Summers, Taylor, Wilson—12.

So the rules were suspended and senate bill No. 178 was read third time.

“Shall the bill pass?”

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Gard, Goodsell, Gay, Henry, Hansard, Hicks, Holmes, Haley, Johnson, Kruse, Lockett, Layman, Laughlin, Mayer, Miller of Jackson, Miller of Linn, Mitchell, Munger, McKenzie, Mackay, McCully, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Vanderpool, Wilson, Wilcox, Mr. Speaker—45.

Nays—None.

Absent—Messrs. Benjamin, Blundell, Daly, Gubser, Holland, Hale, Harris, Harrington, Lafollett of Marion, Lafollett of Yamhill, Little, Maxwell, McLean, Noyer, Taylor—15.

So senate bill No. 178 passed.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 15, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed senate bill No. 179, being a bill for an Act to amend the city charter of Astoria, Clatsop county, Oregon.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Mr. Roberts moved to suspend the rules and read senate bill No. 179 first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bilyeu, Biggs, Blevins, Culver, Crockett, Davis, Goodsell, Gay, Henry, Hansard, Hicks, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Miller of Jackson, Miller of Linn, Munger, McKenzie, McCully, Noyer, Osborn, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—44.

Nays—None.

Absent—Messrs. Benjamin, Blundell, Bowditch, Crook, Daly, Gard, Gubser, Holland, Hale, Harris, Harrington, Maxwell, Mitchell, McLean, Mackay, Pomeroy—16.

So the rules were suspended and senate bill No. 179 was read first time by title only.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 16, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed senate bill No. 185, being a bill for an Act to provide for perpetuating testimony in certain cases.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Mr. R. A. Miller moved to suspend the rules and read senate bill No. 185 first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Bilyeu, Biggs, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Henry, Hansard, Hicks, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Vanderpool, Wilson, Wilcox, Mr. Speaker—48.

Nays—None.

Absent—Messrs. Blundell, Bowditch, Crook, Goodsell, Gay, Holland, Hale, Harris, Mitchell, McLean, Pendleton, Taylor—12.

So the rules were suspended and senate bill No. 185 was read first time by title only.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 16, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed senate bill No. 183, being a bill for an Act to provide for fees of sheriffs in certain cases.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Senate bill No. 183 was read first time and passed to second reading without question.

Mr. Goodsell moved to take up senate bills Nos. 83 and 91, and the motion was sustained.

The Speaker called Mr. Goodsell to the chair.

Senate bill No. 83 was read the third time.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bilyeu, Biggs, Crook, Culver, Davis, Daly, Gard, Gubser, Goodsell, Gay, Hale, Hicks, Harris, Harrington, Holmes, Haley, Kruse, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Mayer, Miller of Jackson, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Pomeroy, Pendleton, Roberts, Richardson, Stafford, Summers, Smith, Thompson, Wilson, Wilcox, Mr. Speaker—41.

Nays—Messrs. Blevins, Crockett, Henry, Hansard, Johnson, Little, Maxwell, Miller of Linn, Osborn, Palmer, Paulsen, Swank, Taylor, Vanderpool—14.

Absent—Messrs. Benjamin, Blundell, Bowditch, Holland, Lockett—5.

So senate bill No. 83 passed.

Mr. Mackay moved to suspend the rules and read senate bill No. 91 second time by title only.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Bowditch, Bilyeu, Biggs, Blevins, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Roberts, Richardson, Stafford, Smith, Thompson, Taylor, Wilson, Wilcox, Mr. Speaker—51.

Nays—Messrs. Culver, Lockett—2.

Absent—Benjamin, Blundell, Crook, Paulsen, Swank, Summers, Vanderpool—7.

So the rules were suspended and senate bill No. 91 was read second time by title only.

Mr. Mackay moved to suspend the rules and read the bill third time and put on passage now.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Bowditch, Bilyeu, Biggs, Daly, Goodsell, Gay, Hale, Harris, Harrington, Holmes, Kruse, Mayer, McLean, Munger, Mackay, Noyer, Pomeroy, Paulsen, Stafford, Thompson, Wilson, Wilcox, Mr. Speaker—23.

Nays—Messrs. Blevins, Crook, Culver, Gubser, Hansard, Hicks, Haley, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Miller of Linn, McKenzie, McCully, Osborn, Palmer, Pendleton, Richardson, Smith, Taylor—22.

Absent—Messrs. Benjamin, Blundell, Crockett, Davis, Gard, Holland, Henry, Johnson, Maxwell, Miller of Jackson, Mitchell, Roberts, Swank, Summers, Vanderpool—15.

So the house refused to further suspend the rules in favor of senate bill No. 91.

The Speaker resumed the chair.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, February 17, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has adopted senate joint resolution No. 21, delegating to

Governor Pennoyer authority to attend as delegate or appoint delegate to centennial anniversary of promulgation of Federal constitution.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Mr. Harrington moved to concur in senate joint resolution No. 21.

On the question, "Will the house concur?" the roll was called and the vote was:

Those voting aye were:

Messrs. Bilyeu, Biggs, Blevins, Culver, Davis, Daly, Gubser, Hale, Henry, Hansard, Harris, Harrington, Holmes, Haley, Johnson, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Pendleton, Richardson, Summers, Taylor, Vanderpool, Wilson, Mr. Speaker—40.

Nays—Messrs. Benjamin, Hicks, Kruse, Palmer, Paulsen, Stafford, Smith—7.

Absent—Messrs. Blundell, Bowditch, Crook, Crockett, Goodsell, Gay, Holland, Maxwell, Roberts, Swank, Thompson, Vanderpool, Wilcox—13.

So the house concurred in senate joint resolution No. 21.

The Speaker submitted the following

COMMUNICATION.

SALEM, OREGON,
February 16, 1887. }

To the Honorable Speaker and Members of the House of Representatives of the State of Oregon:

Resolved, That the Oregon State Temperance Alliance recognizes with gratitude the action of the house of representatives of Oregon in passing with substantial unanimity the resolution for submitting the question of constitutional prohibition to the people at a special election in November next.

Respectfully,

H. S. STRANGE,
Secretary.

On motion of Mr. Biggs, senate bill No. 166 was read third time. "Shall the bill pass?"

Mr. A. M. Lafollett and Mr. Layman demanded a call of the house.

The Speaker ordered the doors closed and the Clerk to call the roll.

The roll was called, and those absent were Messrs. Swank and Thompson.

On motion of Mr. Mayer it was ordered to dispense with further proceedings under call of the house.

The question was on the passage of senate bill No. 166.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Pendleton, Paulsen, Richardson, Stafford, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—56.

Nays—None.

Absent—Messrs. Blundell, Palmer, Roberts, Swank—4.

So senate bill No. 166 passed.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 17, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed house bill No. 137, being a bill for an Act to amend section 52 of title 3, chapter 7, miscellaneous laws of Oregon, together with the amendments enclosed herein.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

FIRST AMENDMENT.

Strike out the following part of the bill: That section 52 of title 3, chapter 7 of the miscellaneous laws of Oregon as compiled by M. P. Deady and Lafayette Lane be amended so as to read as follows, lines 9, 10, 11, 12, 13 and 14 of the engrossed bill and insert in lieu thereof:

Section 1. That title 3 of chapter 7 of the miscellaneous laws of Oregon as compiled by M. P. Deady and Lafayette Lane be amended

by adding thereto the following section to be numbered section 53.

SECOND AMENDMENT.

Change section 52 by numbering it section 53.

THIRD AMENDMENT.

Strike out of the title of the bill the words and figures in the first line, "section 52 of."

Mr. Goodsell moved to concur in senate amendments to house bill No. 137.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Benjamin, Bilyeu, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Richardson, Summers, Wilson, Wilcox, Mr. Speaker—46.

Nays—Messrs. Bowditch, Miller of Jackson, Noyer, Paulsen, Stafford, Smith, Thompson, Taylor, Vanderpool—9.

Absent—Messrs. Blundell, Biggs, Crook, Roberts, Swank—5.

So the house adopted the senate amendments to house bill No. 137.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 17, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed house bill No. 44, being a bill for an Act for the selection and sale of State lands remaining unsold, together with the amendments herein enclosed.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

AMENDMENT.

Amend house bill No. 44 by adding a section to be section 5 as follows:

Section 5. All Acts and parts of Acts in conflict with this Act are hereby repealed.

Mr. Lockett moved to concur in the senate amendment to house bill No. 44.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bowditch, Bilyeu, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—55.

Nays—None.

Absent—Messrs. Benjamin, Blundell, Biggs, Maxwell, Swank—5.

So the senate amendments to house bill No. 44 were concurred in.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 17, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed house bill No. 102, being a bill for an Act to declare the first Saturday in June of each year a public holiday to be known as Labor Day.

And the same is herewith transmitted to you for enrollment.

E. G. HURSH,
Chief Clerk.

Mr. Paulsen moved to suspend the rules and take up senate bills Nos. 37 and 113.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bilyeu, Blevins, Crockett, Gard, Gubser, Goodsell, Hale, Henry, Harrington, Kruse, Lockett, Laughlin, Miller of Linn, McLean, Munger, McKenzie, Mackay, Osborn, Pomeroy, Palmer, Paulsen, Richardson, Stafford, Swank, Summers, Smith, Thompson, Wilson, Wilcox, Mr. Speaker—30.

Nays—Messrs. Bowditch, Crook, Culver, Davis, Daly, Gay, Holland, Hansard, Hicks, Harris, Holmes, Haley, Johnson, Lafollett of Marion, Layman, Mayer, Miller of Jackson, McCully, Noyer, Pendleton, Vanderpool—21.

Absent—Messrs. Benjamin, Blundell, Biggs, Lafollett of Yamhill, Little, Maxwell, Mitchell, Roberts, Taylor—9.

So the house refused to suspend the rules in favor of senate bills Nos. 37 and 113.

Mr. Mayer moved to suspend the rules and read senate bill No. 164 third time now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bowditch, Bilyeu, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Henry, Hansard, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Osborn, Pomeroy, Pendleton, Richardson, Stafford, Swank, Summers, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—45.

Nays—Messrs. Hicks, Harris, Palmer, Paulsen, Smith—5.

Absent—Messrs. Benjamin, Blundell, Biggs, Blevins, Hale, Layman, Laughlin, Noyer, Roberts, Thompson—10.

So the rules were suspended and senate bill No. 164 was read third time.

“Shall the bill pass?”

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—55.

Nays—None.

Absent—Messrs. Benjamin, Blundell, Haley, Osborn, Thompson—5.

So senate bill No. 164 passed.

Mr. Maxwell moved to suspend the rules and read senate bill No. 175 third time now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bowditch, Bilyeu, Biggs, Blevins, Crook, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Hale, Henry, Hicks, Harris, Holmes, Haley, Johnson, Kruse, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Mitchell, McLean, McKenzie, Mackay, McCully,

Noyer, Pomeroy, Palmer, Roberts, Richardson, Stafford, Taylor, Wilcox, Mr. Speaker—39.

Nays—Messrs. Hansard, Harrington, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Munger, Osborn, Pendleton, Paulsen, Swank, Vanderpool, Wilson—13.

Absent—Messrs. Benjamin, Blundell, Culver, Holland, Miller of Linn, Summers, Smith, Thompson—8.

So the house refused to suspend the rules.

Mr. McCully offered

HOUSE RESOLUTION NO. 59.

Resolved, That there be and there is hereby created a committee of three of which the Speaker shall be chairman whose duty it shall be to examine, correct and approve the journals of the house after the close of the present session of the legislature.

On motion of Mr. Goodsell, the house adopted the resolution.

On motion of Mr. Roberts, senate bill No. 57 was read second time.

Mr. Noyer moved to suspend the rules and read the bill third time and put on passage now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bowditch, Bilyeu, Biggs, Blevins, Crook, Crockett, Davis, Daly, Gard, Goodsell, Gay, Holland, Hale, Henry, Harris, Harrington, Holmes, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Roberts, Stafford, Swank, Summers, Smith, Wilson, Wilcox, Mr. Speaker—45.

Nays—Messrs. Culver, Gubser, Hansard, Haley, Layman, Miller of Linn, Paulsen, Richardson, Taylor, Vanderpool—10.

Absent—Messrs. Benjamin, Blundell, Hicks, Johnson, Thompson—5.

So the rules were suspended and senate bill No. 57 was read third time.

“Shall the bill pass?”

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Bowditch, Bilyeu, Biggs, Blevins, Crook, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Harris, Harrington, Holmes, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Pomeroy, Paulsen, Roberts, Stafford, Summers, Smith, Taylor, Wilson, Wilcox, Mr. Speaker—44.

Nays—Messrs. Culver, Henry, Hansard, Haley, Lafollett of Yamhill, Miller of Linn, Osborn, Pendleton, Richardson, Swank, Thompson, Vanderpool—12.

Absent—Messrs. Blundell, Hicks, Johnson, Palmer—4.

So senate bill No. 57 passed.

On motion of Mr. Culver senate bill No. 47 was read third time.
“Shall the bill pass?”

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bilyeu, Biggs, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Harris, Harrington, Holmes, Haley, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Thompson, Taylor, Vanderpool, Wilson, Wilcox Mr. Speaker—49.

Nays—Messrs. Benjamin, Bowditch, McLean, Stafford, Swank, Smith—6.

Absent—Messrs. Blundell, Crook, Hicks, Johnson, Summers—5.

So senate bill No. 47 passed.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 17, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed house bill No. 147, being a bill for an Act to amend an Act relating to the compensation of school clerks, approved November 21, 1885.

And the same is herewith transmitted to you for enrollment.

E. G. HURSH,
Chief Clerk.

And the bill was ordered enrolled.

Mr. Daly moved to take up senate bills Nos. 106 and 92 and put on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Culver, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Harrington, Holmes, Haley, Lockett, Lafollett of Yamhill, Laughlin, Little, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, McKenzie, Mackay, McCully, Osborn, Pomeroy, Pendleton,

Paulsen, Richardson, Stafford, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—43.

Nays—Messrs. Hansard, Hicks, Harris, Swank—4.

Absent—Messrs. Blevins, Crook, Crockett, Johnson, Kruse, Lafollett of Marion, Layman, Mayer, Munger, Noyer, Palmer, Roberts, Summers—13.

So the house ordered to take up the consideration of senate bills Nos. 106 and 92.

Senate bill No. 106 read third time.

“Shall the bill pass?”

On this question the roll was called and the vote was:

Those voting aye were:

Messrs.¹ Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Crook, Culver, Crockett, Davis, Daly, Gard, Goodsell, Gay, Holland, Hale, Henry, Hicks, Harris, Harrington, Holmes, Lockett, Lafollett of Marion, Layman, Laughlin, Mayer, Miller of Jackson, Mitchell, McLean, McKenzie, Mackay, McCully, Osborn, Palmer, Pendleton, Roberts, Summers, Wilson, Mr. Speaker—38.

Nays—Messrs. Blevins, Gubser, Hansard, Haley, Little, Maxwell, Noyer, Pomeroy, Paulsen, Richardson, Stafford, Swank, Smith, Thompson, Taylor, Vanderpool, Wilcox—17.

Absent—Messrs. Johnson, Kruse, Lafollett of Yamhill, Miller of Linn, Munger—5.

So senate bill No. 106 passed.

On motion of Mr. R. A. Miller, the house adjourned.

FRIDAY, FEBRUARY 18, 1887.

MORNING SESSION.

HOUSE OF REPRESENTATIVES,
SALEM, February 18, 1887. }

House called to order at 9:30 A. M., the Speaker in the chair.

Prayer by Rev. J. W. Harris of Salem.

The roll was called and those absent were Messrs. Blundell, Goodsell, Hale and Harris.

Messrs. Blundell and Hale absent on leave.

Mr. Blundell was excused on account of sickness.

Mr. Hale was temporarily excused.

On motion of Mr. Daly, the reading of the journal was dispensed with.

Mr. Summers moved to allow the clerks ten days in which to close up the work of the session.

The motion prevailed.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 17, 1887. }

Mr. Speaker: Your committee on enrolled bills, to whom was referred house bill No. 124, beg leave to report the same back to the house as correctly enrolled.

JOHN WILSON,
Chairman.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 18, 1887. }

Mr. Speaker: Your committee on enrolled bills, to whom was referred house bill No. 102, beg leave to report the same back to the house as correctly enrolled.

JOHN WILSON,
Chairman.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 18, 1887. }

Mr. Speaker: Your committee on enrolled bills, to whom was referred house bill No. 44, beg leave to report the same back to the house as correctly enrolled.

JOHN WILSON,
Chairman.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 18, 1887. }

Mr. Speaker: Your committee on enrolled bills, to whom was referred house bill No. 147, beg leave to report the same back to the house as correctly enrolled.

JOHN WILSON,
Chairman.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 18, 1887. }

Mr. Speaker: Your committee on enrolled bills, to whom was referred house bill No. 137, beg leave to report the same back to the house as correctly enrolled.

JOHN WILSON,
Chairman.

MESSAGE FROM THE GOVERNOR.

STATE OF OREGON,
EXECUTIVE DEPARTMENT, }
SALEM, February 17, 1887.

To the Honorable the Speaker of the House:

I am directed by the Governor to inform you that he has signed the following bills:

SENATE BILL NO. 180.

"An Act to provide an additional circuit judge for the sixth judicial district."

SENATE BILL NO. 62.

"An Act to repeal title 3 of chapter 29 of the miscellaneous laws of Oregon as compiled by Matthew P. Deady and Lafayette Lane."

SENATE BILL NO. 81.

"An Act to declare void certain certificates of sale and to forfeit lands; to authorize the cancellation of such certificates; to direct the repayment of money paid thereon; to preserve the rights of settlers on swamp lands; to authorize the institution of suits to cancel conveyances obtained by fraud, and to provide for the issuance of deeds to swamp lands without reclamation."

SENATE BILL NO. 149.

"An Act entitled an Act to amend an Act entitled an Act to incorporate Dalles City and repeal an Act entitled an Act to incorporate Dalles City, approved October, 1862; and also an Act entitled

an Act to incorporate Dalles City, approved October 24, 1868; and also an Act entitled an Act to amend an Act entitled an Act to incorporate Dalles City, approved October 26, 1870, approved October 15, 1880, and to enable said Dalles City to levy a tax and construct a bridge across the Columbia river and to provide for a commission to control and manage the construction thereof."

SENATE BILL NO. 28.

"An Act entitled an Act to amend sections 6, 8, 9, 16 and 23 of the charter of the city of Salem, and to provide for the improvement and extension of streets and for the construction and repair of sidewalks, sewers and drains in said city, and to provide for the performance of the duties of recorder in case of his disability."

And the same have been filed this day in the office of Secretary of State.

Also,

SENATE BILL NO. 54.

"An Act to amend section 1 of an Act entitled an Act to authorize foreign incorporations to do business and exercise their corporate powers within the State of Oregon, approved October 21, 1878."

SENATE BILL NO. 55.

"An Act to amend section 5 of title 1 of chapter 7 of the miscellaneous laws of Oregon as amended by section 1 of an Act entitled an Act to amend sections 5, 17 and 22 of title 1 of chapter 7 of the miscellaneous laws of Oregon, as compiled by Matthew P. Deady and Lafayette Lane, approved October 21, 1878."

Senate bills Nos. 54 and 55 have become laws, and have also been this day filed in the office of the Secretary of State.

WM. A. MUNLY,
Private Secretary.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 17, 1887. }

Mr. Speaker: I am directed by the President to inform you that

the senate has passed house bill No. 241, being a bill for an Act to amend the charter of Newport, Benton county, Oregon.

And the same is herewith transmitted to you for enrollment.

E. G. HURSH,
Chief Clerk.

And the bill was ordered enrolled.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 17, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed house bill No. 211, being a bill for an Act to amend section 16 of an Act to establish a paid fire department for the city of Portland.

And the same is herewith transmitted to you for enrollment.

E. G. HURSH,
Chief Clerk.

And the bill was ordered enrolled.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 17, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed house bill No. 115, being a bill for an Act to regulate the sale or gift of opium, morphine, eng-she or cooked opium, hydrate of chloral or cocaine.

And the same is herewith transmitted to you for enrollment.

E. G. HURSH,
Chief Clerk.

And the bill was ordered enrolled.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 17, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed house bill No. 261, being a bill for an Act to incorporate the town of Dallas.

And the same is herewith transmitted to you for enrollment.

E. G. HURSH,
Chief Clerk.

And the bill was ordered enrolled.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 17, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed house bill No. 38, being a bill for an Act to incorporate the town of Medford and to repeal an Act approved February 24, 1885.

And the same is herewith transmitted to you for enrollment.

E. G. HURSH,
Chief Clerk.

And the bill was ordered enrolled.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 17, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed house bill No. 238, being a bill for an Act to enable and authorize the county court of Tillamook county to negotiate a loan and issue bonds.

And the same is herewith transmitted to you for enrollment.

E. G. HURSH,
Chief Clerk.

And the bill was ordered engrossed [enrolled].

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 17, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed house bill No. 43, being a bill for an Act to provide for the maintenance of kindergartens as a part of the public school system.

And the same is herewith transmitted to you for enrollment.

E. G. HURSH,
Chief Clerk.

And the bill was ordered enrolled

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 17, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed house bill No. 198, being a bill for an Act granting right of way to Portland and Willamette Valley Railway Company through River View Cemetery.

And the same is herewith transmitted to you for enrollment.

E. G. HURSH,
Chief Clerk.

And the bill was ordered enrolled.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 17, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed house bill No. 90, being a bill for an Act for relief of A. W. Presley.

And the same is herewith transmitted to you for enrollment.

E. G. HURSH,
Chief Clerk.

And the bill was ordered enrolled.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 17, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed house bill No. 82, being a bill for an Act to amend section 32, chapter 7, miscellaneous laws of Oregon.

And the same is herewith transmitted to you for enrollment.

E. G. HURSH,
Chief Clerk.

And the bill was ordered enrolled.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 17, 1887. }

Mr. Speaker: I am directed by the President to inform you that senate bill No. 59 has been reported correctly enrolled.

And the same is herewith transmitted to you for your signature.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, February 17, 1887. }

Mr. Speaker: I am directed by the President to inform you that senate bill No. 80 has been reported correctly enrolled.

And the same is herewith transmitted to you for your signature.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, February 17, 1887. }

Mr. Speaker: I am directed by the President to inform you that senate bill No. 83 has been reported correctly enrolled.

And the same is herewith transmitted to you for your signature.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, February 17, 1887. }

Mr. Speaker: I am directed by the President to inform you that senate bill No. 182 has been reported correctly enrolled.

And the same is herewith transmitted to you for your signature.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, February 17, 1887. }

Mr. Speaker: I am directed by the President to inform you that senate bill No. 184 has been reported correctly enrolled.

And the same is herewith transmitted to you for your signature.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 17, 1887. }

Mr. Speaker: I am directed by the President to inform you that senate bill No. 164 has been reported correctly enrolled.

And the same is herewith transmitted to you for your signature.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 17, 1887. }

Mr. Speaker: I am directed by the President to inform you that senate joint resolution No. 18 has been reported correctly enrolled.

And the same is herewith transmitted to you for your signature.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 17, 1887. }

Mr. Speaker: I am directed by the President to inform you that senate joint resolution No. 19 has been reported correctly enrolled.

And the same is herewith transmitted to you for your signature.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 17, 1887. }

Mr. Speaker: I am directed by the President to inform you that senate joint resolution No. 21 has been reported correctly enrolled.

And the same is herewith transmitted to you for your signature.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 17, 1887. }

Mr. Speaker: I am directed by the President to inform you that senate joint memorial No. 9 has been reported correctly enrolled.

And the same is herewith transmitted to you for your signature.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 17, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed house bill No. 197, being a bill for an Act to define the duties and fix the compensation of State Printer, together with amendments thereto attached.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

FIRST AMENDMENT.

Strike out in section (1) one, line (6) six the words, "said volume shall be dry pressed and half bound."

SECOND AMENDMENT.

Strike out in section (1) one, line (8) eight the words, "which shall be dry pressed and half bound."

THIRD AMENDMENT.

Strike out in section (1) one, line (9) nine, the words, "and properly stitched and covered with paper."

Mr. Paulsen moved to concur in the amendments.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Gay, Holland, Henry,

Hansard, Harris, Harrington, Holmes, Halev, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—54.

Nays—None.

Absent—Messrs. Blundell, Goodsell, Hale, Hicks, Mayer, McCully—6.

So the senate amendments to house bill No. 197 were adopted.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 17, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed house bill No. 46, being a bill for an Act to provide for a bounty on certain wild animals, with amendments thereto attached.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

FIRST AMENDMENT.

Strike out all after the word "and" down to and including the word "applicants" in the fourteenth, fifteenth and sixteenth lines, section 3 of the original bill.

SECOND AMENDMENT.

Strike out the word "treasurer," in the sixth line of section 5, original bill, and insert the words "county court."

THIRD AMENDMENT.

Strike out section 7.

FOURTH AMENDMENT.

Make section 8 read section 7.

FIFTH AMENDMENT.

Strike out section 9.

Mr. Roberts moved to concur in senate amendments to house bill No. 46.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Henry, Hansard, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—55.

Nays—None.

Absent—Messrs. Blundell, Hale, Hicks, Mayer, McCully—5.

So the senate amendments to house bill No. 46 were adopted.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 17, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed house bill No. 132, being a bill for an Act to amend an Act entitled an Act to regulate salaries of county judges, together with the amendments herewith endorsed.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

FIRST AMENDMENT.

In line 23, section 1, original bill, shall read \$2,500; in line 28, section 1, original bill to read \$900.

SECOND AMENDMENT.

In section 1, line 6, after the words "Benton county," strike out the word "six" and insert the word "seven."

THIRD AMENDMENT.

In section 1, line 7, after the words "Clackamas county," strike out the word "eight" and insert the word "ten."

FOURTH AMENDMENT.

In section 1, line 12, after the words "Crook county," strike out the word "four" and insert the word "six."

FIFTH AMENDMENT.

In section 1, line 23, after the words "two thousand," strike out the words "five hundred."

SIXTH AMENDMENT.

In section 1, line 16, after the words "Jackson county," insert the words "eight hundred" in place of "one thousand."

Mr. Harrington moved to concur in the amendments.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Henry, Hansard, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, Noyer, Pomeroy, Palmer, Pendleton, Paulsen, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—53.

Nays—None.

Absent—Messrs. Blundell, Hale, Hicks, Miller of Jackson, McCully, Osborn, Roberts—7.

So the senate amendments to house bill No. 132 were adopted.

The Chair announced that he was about to sign house bills Nos. 137, 147, 44, 102, 124 and senate bills Nos. 164, 83, 184, 80, 182 and 59, and senate joint resolutions Nos. 18, 21 and 19, and senate joint memorial No. 9, and subsequently that he had signed them.

Senate bill No. 92 read first time.

Mr. Pomeroy offered the following amendment:

AMENDMENT.

In line 7 of printed bill after the word "dollars" insert the following, to-wit: "*provided*, that this shall not apply to Columbia and Tillamook counties."

On motion of Mr. Harrington, the amendment was adopted.

On the question, Shall the bill pass as amended? the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Bowditch, Bilyeu, Biggs, Blevins, Culver, Crockett, Davis, Daly, Gubser, Goodsell, Gay, Holland, Henry, Harrington, Holmes, Haley, Kruse, Lafollett of Yamhill, Layman, Laughlin, Mayer, Miller of Jackson, McLean, McKenzie, Mackay, Osborn, Pomeroy, Pendleton, Paulsen, Swank, Summers, Wilcox, Mr. Speaker—33.

Nays—Messrs. Gard, Hansard, Johnson, Lockett, Lafollett of Marion, Little, Maxwell, Miller of Linn, Munger, Noyer, Palmer, Richardson, Stafford, Thompson, Taylor, Vanderpool—17.

Absent—Messrs. Blundell, Crook, Hale, Hicks, Harris, Mitchell, McCully, Roberts, Smith, Wilson—10.

So senate bill No. 92 passed as amended.

Senate bill No. 10 read third time.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Swank, Summers, Smith, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—54.

Nays—Mr. Stafford—1.

Absent—Messrs. Blundell, Holland, Hale, McCully, Thompson—5.

So senate bill No. 10 passed.

Mr. Benjamin moved to suspend the rules and take up house bill No. 270 (general appropriation) and read second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Daly, Gard, Gubser, Goodsell, Gay, Holland, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson,

Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzic, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—53.

Nays—None.

Absent—Messrs. Blundell, Davis, Hale, Little, Mackay, McCully, Thompson—7.

So the rules were suspended and house bill No. 270 was read second time by title only.

On motion of Mr. Summers, the house went into committee of the whole on house bill No. 270.

Mr. Summers in the chair.

After deliberation on house bill No. 270, the committee rose and made the following

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 18, 1887. }

Mr. Speaker: Your committee of the whole house, to whom was referred house bill No. 270, general appropriation, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with amendments as follows:

FIRST AMENDMENT.

In line 9, page 1, printed bill, strike out \$2,400 and insert \$3,000.

SECOND AMENDMENT.

In line 39 strike out \$2,118 20.

THIRD AMENDMENT.

In line 44, page 3, strike out \$700 and insert \$800.

FOURTH AMENDMENT.

In line 3, section 10, strike out \$14,000 and insert \$14,093 10.

FIFTH AMENDMENT.

In line 5, section 12, strike out \$1,200 and insert \$1,600.

SIXTH AMENDMENT.

In line 2, section 20, strike out \$500 and insert \$1,095.

SEVENTH AMENDMENT.

After line 34, page 2, section, for relief of Grant county on account of insane, J. H. Oxford, \$700.

O. SUMMERS,

Chairman Committee of the Whole.

Mr. Bilyeu moved to adopt the report of committee of the whole on house bill No. 270.

The motion prevailed.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 18, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has concurred in the house amendments to senate bill No. 92.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 18, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has concurred in the house amendments to senate bill No. 10.

E. G. HURSH,
Chief Clerk.

Mr. Thompson moved to suspend the rules and read house bill No. 270 third time and put on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Henry, Hansard, Har-

ris, Harrington, Holmes, Haley, Johnson, Kruse, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—54.

Nays—None.

Absent—Messrs. Blundell, Bowditch, Bilyeu, Hale, Hicks, Lockett—6.

So the rules were suspended and house bill No. 270 was read third time.

“Shall the bill pass?”

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Holland, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Miller of Linn, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—49.

Nays—None.

Absent—Messrs. Blundell, Crook, Goodsell, Gay, Hale, Mayer, Maxwell, Miller of Jackson, Mitchell, Pomeroy, Roberts—11.

So house bill No. 270 passed and the title of the bill stood for the title of the Act.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 18, 1887. }

Mr. Speaker: I am directed by the President to inform you that senate bill No. 47 has been reported correctly enrolled.

And the same is herewith transmitted to you for your signature.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 18, 1887. }

Mr. Speaker: I am directed by the President to inform you that senate bill No. 57 has been reported correctly enrolled.

And the same is herewith transmitted to you for your signature.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 18, 1887. }

Mr. Speaker: I am directed by the President to inform you that senate bill No. 106 has been reported correctly enrolled.

And the same is herewith transmitted to you for your signature.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 18, 1887. }

Mr. Speaker: I am directed by the President to inform you that senate bill No. 176 has been reported correctly enrolled.

And the same is herewith transmitted to you for your signature.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 18, 1887. }

Mr. Speaker: I am directed by the President to inform you that senate bill No. 178 has been reported correctly enrolled.

And the same is herewith transmitted to you for your signature.

E. G. HURSH,
Chief Clerk.

The Chair announced that he was about to sign senate bills Nos. 176, 57, 47, 106, and 178, and subsequently that he had signed them.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 18, 1887. }

Mr. Speaker: I am directed by the President to inform you that he has signed house bill No. 44.

And the same is herewith transmitted to you.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 18, 1887. }

Mr. Speaker: I am directed by the President to inform you that he has signed house bill No. 102.

And the same is herewith transmitted to you.

E. H. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 18, 1887. }

Mr. Speaker: I am directed by the President to inform you that he has signed house bill No. 124.

And the same is herewith transmitted to you.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 18, 1887. }

Mr. Speaker: I am directed by the President to inform that you he has signed house bill No. 137.

And the same is herewith transmitted to you.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 18, 1887. }

Mr. Speaker: I am directed by the President to inform you that he has signed house bill No. 147.

And the same is herewith transmitted to you.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 18, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed house bill No. 30, being a bill for an Act for the more efficient organization of the militia of the State of Oregon, together with the amendments attached thereto.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

FIRST AMENDMENT.

Amend house bill No. 30, section 17, by adding after the word "drill-room," in line 5 of printed bill, "and other necessary expenses of running such company."

SECOND AMENDMENT.

In line 6, section 9, article 3, strike out the words "failing to present" and insert the word "presenting" instead.

THIRD AMENDMENT.

Strike out sections 32, 33 and 34 of article 9, and change the numbers of the remaining sections according to their regular order.

Mr. Summers moved the adoption of the senate amendments to house bill No. 30.

Mr. Thompson moved to table the amendment.

The motion to table was lost.

On the motion to adopt the roll was called and the vote was:

Those voting aye were:

Messrs. Bowditch, Crook, Culver, Gubser, Goodsell, Gay, Holland, Harris, Harrington, Kruse, Lafollett of Marion, Lafollett of Yamhill, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, McLean, McKenzie, McCully, Pomeroy, Palmer, Pendleton, Paulsen, Summers, Roberts, Wilson, Wilcox, Mr. Speaker—29.

Nays—Messrs. Bilyeu, Blevins, Crockett, Daly, Gard, Hale, Henry, Hansard, Holmes, Haley, Johnson, Lockett, Miller of Linn, Mitchell, Noyer, Osborn, Richardson, Stafford, Swank, Smith, Thompson, Taylor, Vanderpool—23.

Absent—Messrs. Benjamin, Blundell, Biggs, Davis, Hicks, Layman, Munger, Mackay—8.

So the senate amendments to house bill No. 30 were adopted.

Senate bill No. 37 was read third time.

Pending the question of its passage the house adjourned, on motion of Mr. Bilyeu.

AFTERNOON SESSION.

House called to order at 1:30 P. M., the Speaker in the chair.

The roll was called and those absent were Messrs. Benjamin, Blundell, Biggs, Hicks, Charles Lafollett, McKenzie and Taylor.

Mr. Blundell absent on leave.

The Speaker announced that order of business was the vote on passage of senate bill No. 37 as amended by the house.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Harris, Harrington, Holmes, Haley, Kruse, Lockett, Layman, Laughlin, Little, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Vanderpool, Wilson, Wilcox, Mr. Speaker—52.

Nays—None.

Absent—Messrs. Benjamin, Blundell, Hicks, Johnson, Lafollett of Marion, Lafollett of Yamhill, Mayer, Taylor—8.

So senate bill No. 37 passed as amended by the house.

Mr. Goodsell moved to suspend the rules and take up senate bill No. 41 and put on its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blevins, Culver, Gard, Goodsell, Gay, Holland, Hale, Henry, Hansard, Harris, Holmes, Johnson, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Pendleton, Roberts, Stafford, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—38.

Nays—Messrs. Benjamin, Bowditch Bilyeu, Biggs, Crook, Crockett, Daly, Gubser, Haley, Palmer, Paulsen, Richardson, Swank, Smith—14.

Absent—Messrs. Blundell, Davis, Hicks, Harrington, Lafollett of Yamhill, Little, Mayer, Summers—8.

So the rules were suspended and senate bill No. 41 read third time "Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Bilyeu, Biggs, Blevins, Crook, Culver, Davis, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Harris, Holmes, Kruse, Lafollett of Marion, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Mackay, Noyer, Pomeroy, Roberts, Richardson, Stafford, Smith, Taylor, Wilson, Wilcox, Mr. Speaker—38.

Nays—Messrs. Daly, Hansard, Hicks, Haley, Johnson, Lockett, Munger, McKenzie, Osborn, Palmer, Pendleton, Paulsen, Swank, Thompson, Vanderpool—15.

Absent—Messrs. Blundell, Bowditch, Crockett, Harrington, Lafollett of Yamhill, McCully, Summers—7.

So senate bill No. 41 passed and was transmitted to the senate.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 18, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed house bill No. 72, being a bill for an Act to amend an Act entitled an Act to amend an Act entitled an Act to amend section 25 of chapter 4 of miscellaneous laws of Oregon, with the amendments thereto attached.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

FIRST AMENDMENT.

By Cauthorn—Strike out section 3 of printed bill; also strike out all after the word “court” in line 233 of printed bill.

SECOND AMENDMENT.

Amend section 25, printed bill, by striking out lines 231, 232 and 233.

THIRD AMENDMENT.

By Watts—In section 25, line 54, printed bill, after the word “dollars” insert “once a year.”

FOURTH AMENDMENT.

In section 25, line 158, printed bill, strike out the word “quarterly” and insert in lieu thereof the word “annually.”

Mr. Hale moved to concur in senate amendments to house bill No. 72.

Motion prevailed.

By vote of the house, Mr. McLean was allowed to introduce house resolution No. 60 as follows:

HOUSE RESOLUTION NO. 60.

Be it resolved by the House of Representatives of the State of Oregon :

That the salary of the Sergeant-at-Arms of the house be increased one dollar per day for each day of the fourteenth biennial session of the legislative assembly of the State of Oregon for 1887.

Mr. Pomeroy moved to lay the motion on the table.

The motion was lost.

Mr. McLean moved to adopt.

Motion prevailed.

Mr. Thompson moved to take up senate bill No. 125 and put on final passage.

Carried.

Senate bill No. 125 was read third time.

“Shall the bill pass?”

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland,

Hale, Henry, Hansard, Hicks, Harris, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—56.

Nays—None.

Absent—Messrs. Blundell, Harrington, Lafollett of Yamhill, Munger—4.

So senate bill No. 125 passed.

Senate bill No. 48 read third time.

“Shall the bill pass?”

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Goodsell, Gay, Holland, Henry, Hansard, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Smith, Taylor, Vanderpool, Wilson, Mr. Speaker—50.

Nays—None.

Absent—Messrs. Blundell, Gubser, Hale, Hicks, Lafollett of Yamhill, Munger, Swank, Summers, Thompson, Wilcox—10.

So senate bill No. 48 passed.

The committee on enrolled bills reported as follows:

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, February 18, 1887. }

Mr. Speaker: Your committee on enrolled bills, to whom was referred house bill No. 43, beg leave to report the same back to the house as correctly enrolled.

JOHN WILSON,
Chairman.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, February 18, 1887. }

Mr. Speaker: Your committee on enrolled bills, to whom was

referred house bill No. 211, beg leave to report the same back to the house as correctly enrolled.

JOHN WILSON,
Chairman.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 18, 1887. }

Mr. Speaker: Your committee on enrolled bills, to whom was referred house bill No. 82, beg leave to report the same back to the house as correctly enrolled.

JOHN WILSON,
Chairman.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 18, 1887. }

Mr. Speaker: Your committee on enrolled bills, to whom was referred house bill No. 238, beg leave to report the same back to the house as correctly enrolled.

JOHN WILSON,
Chairman.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 18, 1887. }

Mr. Speaker: Your committee on enrolled bills, to whom was referred house bill No. 261, beg leave to report the same back to the house as correctly enrolled.

JOHN WILSON,
Chairman.

The chair announced that he was about to sign house bills Nos. 43, 82, 211, 238 and 261, and subsequently that he had signed them.

Mr. Daly moved to take up senate bill No. 133 and put on its passage now.

Lost.

House bill No. 66 was read third time.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Bilyeu, Biggs, Culver, Davis, Daly, Goodsell, Gay, Holland, Hale, Henry, Harris, Harrington, Holmes, Haley, Johnson, Lafollett of Marion, Lafollett of Yamhill, Laughlin, Little, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Palmer, Paulsen, Richardson, Stafford, Swank, Summers, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—41.

Nays—Messrs. Bowditch, Crockett, Gard, Gubser, Hansard, Kruse, Lockett, Layman, Maxwell, Osborn, Pomeroy, Pendleton, Smith—13.

Absent—Messrs. Blundell, Blevins, Crook, Hicks, Mayer, Roberts—6.

So house bill No. 66 passed.

MESSAGE FROM THE GOVERNOR.

STATE OF OREGON,
EXECUTIVE DEPARTMENT,
SALEM, February 18, 1887. }

To the Honorable the Speaker of the House:

I am directed by the Governor to inform you that he has signed the following bills:

HOUSE BILL NO. 66.

An Act to create the county of Malheur in the State of Oregon and to fix the salaries of county judge and treasurer.

HOUSE BILL NO. 96.

An Act to amend section 62, title 6 of chapter 4 of the miscellaneous laws of Oregon pertaining to common schools, as amended by an Act entitled "An Act to provide for the collection of school district taxes, approved October 20, 1876."

HOUSE BILL NO. 94.

An Act to amend section 28, title 3 of chapter 4 of the miscellaneous laws of Oregon pertaining to common schools, as amended by an Act entitled "An Act to amend section 28, title 3 of chapter 4 of the miscellaneous laws of Oregon, compiled by M. P. Deady and Lafayette Lane, approved October 26, 1882."

HOUSE BILL NO. 60.

An Act to amend section 54 of an Act entitled "An Act to establish a uniform course of public instruction in the common schools of this State."

HOUSE BILL NO. 145.

An Act to amend an Act entitled an Act to prevent deception in sales of dairy products.

HOUSE BILL NO. 59.

An Act to amend an Act entitled an Act to amend an Act entitled an Act to amend sections 37 and 57 of title 4 of an Act to establish a uniform course of public instruction in the common schools of this State.

• HOUSE BILL NO. 204.

An Act to abolish the office of county clerk of Multnomah county, etc.

SENATE BILL NO. 165.

An Act redistricting the State into Senatorial and Representative districts and fixing the number of Senators and Representatives in the legislative assembly.

SENATE BILL NO. 137.

An Act to incorporate the town of Grant's Pass, Josephine county.

SENATE BILL NO. 119.

An Act to incorporate Baker City, Oregon.

And the same have been filed this day in the office of the Secretary of State.

WM. A. MUNLY,
Private Secretary.

Senate bill No. 113 read third time.

"Shall the bill pass?"

On this question the roll was called and the vote was :

Those voting aye were:

Messrs. Benjamin, Bowditch, Bilyeu, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Richardson, Stafford, Swank, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—53.

Nays—None.

Absent—Messrs. Blundell, Biggs, Crook, Hicks, Maxwell, Roberts, Summers—7.

So senate bill No. 113 passed.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,)
SALEM, February 18, 1887.)

Mr. Speaker: I am directed by the President to inform you that the senate has adopted senate concurrent resolution No. 15, providing for a joint committee of five to investigate the fishing industries during the recess of the legislative assembly.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

On motion of Mr. Pomeroy, the house concurred in senate concurrent Resolution No. 15.

The Chair appointed under senate concurrent resolution No. 15 Messrs. Maxwell, Pomeroy and Bilyeu on the part of the house.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,)
SALEM, February 18, 1887.)

Mr. Speaker: I am directed by the President to inform you that the senate has adopted senate joint memorial No. 10, asking congress for an appropriation of \$2,500 for opening a road over and around Cape Perpetua.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

On motion of Mr. Davis, the house concurred in senate joint memorial No. 10.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 18, 1887. }

Mr. Speaker: I am directed by the President to inform you that senate bill No. 10 has been reported correctly enrolled.

And the same is herewith transmitted to you for your signature.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 18, 1887. }

Mr. Speaker: I am directed by the President to inform you that senate bill No. 92 has been reported correctly enrolled.

And the same is herewith transmitted to you for your signature.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 18, 1887. }

Mr. Speaker: I am directed by the President to inform you that senate bill No. 166 has been reported correctly enrolled.

And the same is herewith transmitted to you for your signature.

E. G. HURSH,
Chief Clerk.

The Chair announced that he was about to sign senate bills Nos. 10, 92 and 166, and subsequently that he had signed them.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 18, 1887. }

Mr. Speaker: I am directed by the President to inform you that he has signed senate bill No. 43.

And the same is herewith transmitted to you.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 18, 1887. }

Mr. Speaker: I am directed by the President to inform you that he has signed senate bill No. 82.

And the same is herewith transmitted to you.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 18, 1887. }

Mr. Speaker: I am directed by the President to inform you that he has signed senate bill No. 238.

And the same is herewith transmitted to you.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 18, 1887. }

Mr. Speaker: I am directed by the President to inform you that he has signed senate bill No. 261.

And the same is herewith transmitted to you.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 18, 1887. }

Mr. Speaker: I am directed by the President to inform you that he has signed senate bill No. 211.

And the same is herewith transmitted to you.

E. G. HURSH,
Chief Clerk.

Senate bill No. 112 read third time.

A call of the house being demanded, the roll was called and those absent were Messrs. Blundell (sick leave), Crook, Hale, Hicks,

Harris, Haley, Lockett, Lafollett of Marion, Swank, Smith, Thompson, Wilson—12.

Mr. Goodsell moved that further proceedings under the call of the house be dispensed with.

Carried.

On the question "Shall senate bill No. 112 pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Bowditch, Bilyeu, Biggs, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Harrington, Holmes, Johnson, Kruse, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Summers, Thompson, Taylor, Vanderpool, Wilcox, Mr. Speaker—50.

Nays—None.

Absent—Messrs. Blundell, Crook, Hicks, Harris, Haley, Lockett, Munger, Swank, Smith, Wilson—10.

So senate bill No. 112 passed.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 18, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed house bill No. 167, being a bill for an Act to amend section 18, title 3, chapter 41, miscellaneous laws.

And the same is herewith transmitted to you for enrollment.

E. G. HURSH,
Chief Clerk.

And the bill was ordered enrolled.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 18, 1887. }

Mr. Speaker: I am directed by the President to inform you that senate bill No. 125 has been correctly enrolled.

And the same is herewith transmitted to you for your signature.

E. G. HURSH,
Chief Clerk.

The Chair announced that he was about to sign house bill No. 125, and subsequently that he had signed it.

Senate bill No. 155 read third time.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Hale, Henry, Hansard Harrington, Holmes, Johnson, Kruse, Lockett, Lafollett of Marion, Layman, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Summers, Thompson, Mr. Speaker—47.

Nays—None.

Absent—Messrs. Blundell, Holland, Hicks, Harris, Haley, Lafollett of Yamhill, Laughlin, Swank, Smith, Taylor, Vanderpool, Wilson, Wilcox—13.

So house bill No. 125 passed.

Senate bill No. 7 read third time.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bowditch, Bilyeu, Biggs, Crook, Crockett, Gubser, Goodsell, Hale, Henry, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Layman, Laughlin, Mayer, Miller of Jackson, Miller of Linn, Mitchell, McLean, McKenzie, Mackay, McCully, Osborn, Paulsen, Roberts, Richardson, Stafford, Summers, Smith, Thompson, Wilcox, Mr. Speaker—35.

Nays—Messrs. Benjamin, Blevins, Culver, Gard, Hansard, Kruse, Lockett, Lafollett of Yamhill, Little, Maxwell, Munger, Noyer, Palmer, Pendleton, Taylor, Vanderpool—16.

Absent—Messrs. Blundell, Davis, Haley, Gay, Holland, Lafollett of Yamhill, Pomeroy, Swank, Wilson—9.

So senate bill No. 7 passed.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 18, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has concurred in house amendments to senate bill No. 37.

E. G. HURSH,
Chief Clerk.

Senate bill No. 95 read third time.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Bowditch, Biggs, Crook, Culver, Daly, Gard, Gubser, Goodsell, Gay, Harrington, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, McLean, Mackay, McCully, Osborn, Pomeroy, Palmer, Paulsen, Roberts, Richardson, Summers, Taylor, Wilson, Wilcox—35.

Nays—Messrs. Blevins, Crockett, Hansard, Holmes, Haley, Mitchell, McKenzie, Pendleton, Stafford, Smith, Vanderpool, Mr. Speaker—12.

Absent—Messrs. Blundell, Bilyeu, Davis, Holland, Hale, Henry, Hicks, Harris, Johnson, Munger, Noyer, Swank, Thompson—13.

So senate bill No. 95 passed.

Senate bill No. 27 read third time.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Bowditch, Biggs, Blevins, Crook, Culver, Crockett, Daly, Gard, Gubser, Goodsell, Gay, Henry, Hansard, Hicks, Harris, Harrington, Haley, Kruse, Lockett, Lafollett of Yamhill, Maxwell, Layman, Laughlin, Little, Mayer, Miller of Jackson, Miller of Linn, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—49.

Nays—None.

Absent—Messrs. Blundell, Bilyeu, Davis, Holland, Hale, Holmes, Johnson, Lafollett of Marion, Mitchell, Osborn, Thompson—11.

So senate bill No. 27 passed.

Senate bill No. 107 read third time.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Daly, Gard, Gubser, Goodsell, Gay, Hale, Henry, Hansard, Hicks, Harris, Harrington, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers,

Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—53.

Nays—None.

Absent—Messrs. Blundell, Davis, Holland, Holmes, Haley, Johnson, Noyer—7.

So senate bill No. 107 passed.

Senate bill No. 161 read third time.

“Shall the bill pass?”

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Benjamin, Bowditch, Bilyeu, Biggs, Blevins, Crook, Davis, Gard, Gubser, Gay, Holland, Hale, Henry, Hansard, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lafollett of Yamhill, Laughlin, Maxwell, Miller of Jackson, Miller of Linn, Munger, McKenzie, Mackay, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Summers, Smith, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—43.

Nays—Messrs. Culver, Hicks, Lockett, Lafollett of Marion, Layman, McCully, Stafford—7.

Absent—Messrs. Blundell, Crockett, Daly, Goodsell, Little, Mayer, Mitchell, McLean, Swank, Thompson—10.

So Senate bill No. 161 passed.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 18, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has concurred in house amendments to senate bill No. 113.

E. G. HURSH,
Chief Clerk.

Committee on enrolled bills reported as follows: .

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 18, 1887. }

Mr. Speaker: Your committee on enrolled bills, to whom was referred house bill No. 198, beg leave to report the same back to the house as correctly enrolled.

JOHN WILSON,
Chairman.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 18, 1887. }

Mr. Speaker: Your committee on enrolled bills, to whom was referred house bill No. 72, beg leave to report the same back to the house as correctly enrolled.

JOHN WILSON,
Chairman.

The Chair announced that he was about to sign house bills Nos. 72 and 198, and subsequently that he had signed them.

Senate bill No. 133 was read the third time.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Bowditch, Bilyeu, Biggs, Blevins, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Mayer, Maxwell, Miller of Jackson, Miller of Linn, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—56.

Nays—None.

Absent—Messrs. Blundell, Little, Mitchell, Palmer—4.

So senate bill No. 133 passed.

MESSAGE FROM THE GOVERNOR.

STATE OF OREGON,
EXECUTIVE DEPARTMENT,
SALEM, February 18, 1887. }

To the Honorable the Speaker of the House:

I am directed by the Governor to inform you that he has signed

HOUSE BILL NO. 166.

"An Act to create a board of railroad commissioners and to define and regulate its powers and duties and to fix the compensation of its members."

And the same has been filed in the office of the Secretary of State.

WM. A. MUNLY,
Private Secretary.

Mr. McLean moved that when the house adjourn it shall adjourn to meet at 7 o'clock this evening.

Mr. Munger moved to 7:30.

Amendment carried and as amended motion prevailed.

Senate bill No. 163 read third time.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Bilyeu, Biggs, Blevins, Crook, Crockett, Davis, Daly, Gubser, Gay, Holland, Hale, Henry, Hansard, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Yamhill, Layman, Laughlin, Little, Maxwell, Miller of Jackson, Miller of Linn, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Vanderpool, Wilson, Wilcox, Mr. Speaker—50.

Nays—Mr. Taylor—1.

Absent—Messrs. Blundell, Bowditch, Culver, Gard, Goodsell, Hicks, Lafollett of Marion, Mayer, Mitchell—9.

So senate bill No. 162 passed.

Senate bill No. 20 read third time.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Bowditch, Bilyeu, Crook, Culver, Crockett, Daly, Gard, Gubser, Gay, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, McLean, McKenzie, Mackay, McCully, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Richardson, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilcox, Mr. Speaker—51.

Nays—Mr. Blevins—1.

Absent—Messrs. Blundell, Biggs, Davis, Goodsell, Mitchell, Munger, Noyer, Roberts, Wilson—8.

So senate bill No. 20 passed.

Senate bill No. 50 read third time.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blevins, Culver, Crockett, Goodsell, Hicks, Harrington, Kruse, Miller of Linn, McLean, Palmer, Paulsen, Stafford, Swank, Smith, Taylor, Vanderpool, Mr. Speaker—17.

Nays—Messrs. Benjamin, Bowditch, Bilyeu, Biggs, Crook, Davis, Daly, Gard, Gubser, Gay, Holland, Hale, Henry, Hansard, Harris, Holmes, Haley, Johnson, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Pendleton, Richardson, Summers, Thompson, Wilcox—39.

Absent—Messrs. Blundell, Mitchell, Roberts, Wilson—4.

So senate bill No. 50 failed to pass.

Senate bill No. 175 read third time.

“Shall the bill pass?”

On this question the roll was called and the vote was

Those voting aye were:

Messrs. Bowditch, Bilyeu, Biggs, Crook, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, McLean, Mackay, McCully, Noyer, Pomeroy, Pendleton, Paulsen, Roberts, Summers, Smith, Taylor, Mr. Speaker—39.

Nays—Messrs. Benjamin, Blevins, Hale, Henry, Hansard, Hicks, Layman, Miller of Linn, Munger, McKenzie, Osborn, Palmer, Richardson, Stafford, Swank, Thompson, Vanderpool, Wilcox—18.

Absent—Messrs. Blundell, Wilson, Mitchell—3.

So senate bill No. 175 passed.

Senate bill No. 91 read third time.

“Shall the bill pass?”

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Bowditch, Biggs, Gubser, Goodsell, Gay, Harris, Lafollett of Yamhill, Mayer, McLean, Munger, Mackay, Noyer, Osborn, Pomeroy, Paulsen, Summers, Thompson, Wilcox—20.

Nays—Messrs. Bilyeu, Blevins, Culver, Daly, Holland, Hale, Henry, Hansard, Hicks, Harrington, Holmes, Haley, Lockett, Lafollett of Marion, Layman, Laughlin, Little, Maxwell, Miller of Linn, Mitchell, McKenzie, McCully, Palmer, Pendleton, Richardson, Stafford, Smith, Taylor, Vanderpool, Mr. Speaker—31.

Absent—Messrs. Blundell, Crook, Davis, Gard, Johnson, Kruse, Miller of Jackson, Vanderpool—9.

So senate bill No. 91 failed to pass.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 18, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed house bill No. 56, being a bill for an Act amending an Act approved October 25, 1885, relating to sheriffs' fees, so as to include Coos and Curry counties, together with the amendments herewith enclosed.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

FIRST AMENDMENT.

Title of house bill No. 56, as amended by the Senate February 18, 1887:

"As amended by an Act, an Act to amend section 6 of an Act approved February 23, 1885, as amended by an Act approved November 25, 1885, entitled an Act to amend an Act entitled an Act to amend an Act entitled an Act to amend sections 2, 3, 4, 5, 6, 7 and 8, and to repeal section 10 of an Act approved October 29, 1874, entitled an Act to repeal sections 2 and 4 of an Act approved October 23, 1872, entitled an Act to amend chapter 18 of the general laws concerning fees of officers; and to amend an Act entitled an Act to amend chapter 18 of the general laws concerning the fees of officers, approved October 24, 1870, and section 12 of an Act approved October 24, 1864, entitled an Act to prescribe the fees of certain officers and persons, and section 4 of an Act approved January 12, 1859, entitled an Act to amend an Act to regulate the fees of certain officers and other persons, and section 1 of an Act approved October 12, 1864, entitled an Act to fix the legal distances from the several county seats in this State to the penitentiary at the city of Portland, and to regulate the fees of sheriffs for conveying convicts to the penitentiary, and all of an Act approved October 29, 1870, entitled an Act to regulate the fees of officers in certain counties, and all of an Act approved October 28, 1872, entitled an Act to amend an Act entitled an Act to regulate the fees of officers in certain counties, and to amend section 5 of an Act approved October 21, 1864, entitled an Act to amend an Act entitled an Act to provide for the collection of taxes, and to repeal an Act approved October 19, 1860, and to prescribe the fees of clerks and sheriffs, approved October 26, 1882."

SECOND AMENDMENT.

Amend section 1, line 8, by inserting after the word "Clackamas" the word "Clatsop."

THIRD AMENDMENT.

Amend section 1, line 13, by inserting after the word "Clackamas" the word "Clatsop."

FOURTH AMENDMENT.

Amend house bill No. 56 by inserting after "Coos county" "Josephine county."

On motion of Mr. Roberts the house concurred in senate amendments to house bill No. 56.

Committee on enrolled bills reported:

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 18, 1887. }

Mr. Speaker: Your committee on enrolled bills, to whom was referred house bill No. 46, beg leave to report the same back to the house as correctly enrolled.

JOHN WILSON,
Chairman.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 18, 1887. }

Mr. Speaker: Your committee on enrolled bills, to whom was referred house bill No. 90, beg leave to report the same back to the house as correctly enrolled.

JOHN WILSON,
Chairman.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 18, 1887. }

Mr. Speaker: Your committee on enrolled bills, to whom was referred house bill No. 132, beg leave to report the same back to the house as correctly enrolled.

JOHN WILSON,
Chairman.

The Chair announced that he was about to sign house bills Nos. 46, 90 and 132, and subsequently that he had signed them.

Mr. Noyer moved to suspend the rules and take up senate bills Nos. 183 and 172 and the motion was lost.

Mr. Bilyeu moved to adjourn.

Lost.

Senate bill No. 103 read third time.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Bowditch, Bilyeu, Blevins, Crook, Culver, Crockett, Daly, Gubser, Goodsell, Gay, Hale, Henry, Hansard, Harris, Harrington, Holmes, Haley, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Pendleton, Paulsen, Roberts, Richardson, Stafford, Swank, Summers, Smith, Thompson, Vanderpool, Wilson, Mr. Speaker—49.

Nays—Messrs. Gard, Holland, Palmer, Taylor, Wilcox—5.

Absent—Messrs. Blundell, Biggs, Davis, Hicks, Johnson, Kruse—6.

So senate bill No. 103 passed.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 18, 1887. }

Mr. Speaker: Your committee on enrolled bills to whom was referred house bill No. 115, beg leave to report the same back to the house as correctly enrolled.

JOHN WILSON,
Chairman.

The Chair announced that he was about to sign house bill No. 115, and subsequently that he had signed the same.

Mr. Pomeroy, by consent, introduced house concurrent resolution No. 25, as follows:

HOUSE CONCURRENT RESOLUTION NO. 25.

Resolved by the House, the Senate concurring:

That the senate meet the house in joint convention at 8 o'clock P. M. February 18, 1887, to elect three Fish Commissioners.

Mr. Munger moved to table the resolution.

Lost.

On motion of Mr. Maxwell, the house adopted house concurrent resolution No. 25.

Senate bill No. 6 read third time.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Bowditch, Bilyeu, Blevins, Culver, Daly, Gard, Gubser, Holland, Henry, Hansard, Harrington, Holmes, Haley, Kruse, Lockett, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—47.

Nays—None.

Absent—Messrs. Blundell, Biggs, Crook, Crockett, Davis, Goodsell, Gay, Hale, Hicks, Harris, Johnson, Mayer, Stafford—13.

So senate bill No. 6 passed.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 18, 1887. }

Mr. Speaker: I am directed by the President to inform you that senate bill No. 41 has been reported correctly enrolled.

And the same is herewith transmitted to you for your signature.

E. G. HURSH,
Chief Clerk.

The Chair announced that he was about to sign senate bill No. 41, and subsequently that he had signed it.

Committee on enrolled bills reported as follows:

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 18, 1887. }

Mr. Speaker: Your committee on enrolled bills, to whom was referred house bill No. 167, beg leave to report the same back to the house as correctly enrolled.

JOHN WILSON,
Chairman.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, February 18, 1887. }

Mr. Speaker: Your committee on enrolled bills, to whom was referred house bill No. 197, beg leave to report the same back to the house as correctly enrolled.

JOHN WILSON,
Chairman.

The Chair announced that he was about to sign house bills Nos. 167 and 197, and subsequently that he had signed them.

Mr. Lockett moved to adjourn and the house refuse to adjourn.

Senate bill No. 58 read third time.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Crook, Harris, Johnson, Lafollett of Marion, Lafollett of Yamhill, Layman, Laughlin, Little, Maxwell, Miller of Jackson, McLean, Noyer, Pomeroy, Pendleton, Taylor, Wilson—16.

Nays—Messrs. Benjamin, Bowditch, Bilyeu, Biggs, Blevins, Culver, Crockett, Davis, Daly, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Hicks, Harrington, Holmes, Haley, Kruse, Lockett, Mayer, Miller of Linn, Mitchell, Munger, McKenzie, Mackay, McCully, Osborn, Palmer, Paulsen, Richardson, Stafford, Swank, Smith, Thompson, Vanderpool, Mr. Speaker—39.

Absent—Messrs. Blundell, Davis, Roberts, Summers, Wilcox—5.

So senate bill No. 58 failed to pass.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, February 18, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has concurred in house concurrent resolution No. 25, providing for a joint committee of the senate and house of representatives at 8 o'clock P. M., February 18, 1887.

And the same is herewith transmitted to you.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, February 18, 1887. }

Mr. Speaker: I am directed by the President to inform you that he has signed house bill No. 198.

And the same is herewith transmitted to you.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, February 18, 1887. }

Mr. Speaker: I am directed by the President to inform you that he has signed house bill No. 90.

And the same is herewith transmitted to you.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, February 18, 1887. }

Mr. Speaker: I am directed by the President to inform you that he has signed house bill No. 72.

And the same is herewith transmitted to you.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, February 18, 1887. }

Mr. Speaker: I am directed by the President to inform you that he has signed house bill No. 46.

And the same is herewith transmitted to you.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,)
SALEM, February 18, 1887.)

Mr. Speaker: I am directed by the President to inform you that he has signed house bill No. 132.

And the same is herewith transmitted to you.

E. G. HURSH,
Chief Clerk.

On motion of Mr. Mayer, the house adjourned.

EVENING SESSION.

House called to order at 7:30 P. M., the Speaker in the chair.

The roll was called, and those absent were Messrs. Blundell, Blevins, Harris, Charles Lafollett, Little, R. A. Miller, Mitchell, Munger, Mackay and Palmer.

Committee on enrolled bills reported.

REPORT.

HOUSE OF REPRESENTATIVES,)
SALEM, February 18, 1887.)

Mr. Speaker: Your committee on enrolled bills, to whom was referred house bill No. 241, beg leave to report the same back to the house as correctly enrolled.

JOHN WILSON,
Chairman.

REPORT.

HOUSE OF REPRESENTATIVES,)
SALEM, February 18, 1887.)

Mr. Speaker: Your committee on enrolled bills, to whom was referred house bill No. 56, beg leave to report the same back to the house as correctly enrolled.

JOHN WILSON,
Chairman.

REPORT.

HOUSE OF REPRESENTATIVES, }
SALEM, February 18, 1887. }

Mr. Speaker: Your committee on enrolled bills, to whom was referred house bill No. 38, beg leave to report the same back to the house as correctly enrolled.

JOHN WILSON.

Chairman.

The Chair announced that he was about to sign house bills Nos. 241, 56 and 38, and subsequently that he had signed them.

Senate bill No. 109 was read third time.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Biggs, Blevins, Crook, Culver, Davis, Goodsell, Gay, Henry, Hicks, Harrington, Haley, Lafollett of Marion, Laughlin, Maxwell, McKenzie, Mackay, Pomeroy, Palmer, Pendleton, Roberts, Richardson, Stafford, Swank, Taylor, Wilson, Wilcox—27.

Nays—Messrs. Bowditch, Bilyeu, Daly, Gard, Gubser, Holland, Hale, Hansard, Harris, Holmes, Johnson, Kruse, Lockett, Layman, Little, Mayer, Miller of Jackson, Miller of Linn, McLean, McCully, Noyer, Osborn, Paulsen, Smith, Thompson, Vanderpool, Mr. Speaker—27.

Absent—Messrs. Blundell, Crockett, Lafollett of Yamhill, Mitchell, Munger, Summers—6.

So senate bill No. 109 failed to pass.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, February 18, 1887. }

Mr. Speaker: I am directed by the President to inform you that he has appointed on the joint committee to investigate the fishing industries pursuant to senate concurrent resolution No. 15, Messrs. Barin and Allen; Mr. Barin as chairman.

E. G. HURSH,
Chief Clerk.

Judiciary committee reported amendments to senate bill No. 1 as follows:

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 14, 1887. }

Mr. Speaker: Your committee on judiciary, to whom was referred senate bill No. 1, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following amendments, viz.:

FIRST AMENDMENT.

In the 22d line of the 2d page of the original bill strike out the word "resident" and insert in the place thereof the word "citizen."

SECOND AMENDMENT.

Strike out the portion commencing with and inclusive of the words "no officer," in the 18th line of the 3rd page, to and inclusive of the word "State," in the 24th line of the same page, and insert in the place thereof the following, viz.: "No foreign corporation or company shall in any manner transact any business in this State, excepting such business as is made necessary under the provisions of this Act to entitle such foreign corporation or company to do business in this State."

THIRD AMENDMENT.

Strike out the words "and that such agent or other person" in the 5th and 6th lines of the 4th page, and insert in the place thereof the following, viz.: "Such corporation or company."

FOURTH AMENDMENT.

Strike out the words "change the venue," in the 28th line of the 4th page, and after the word "licensed," in the 28th line of the 5th page insert the following, viz.: "*Provided*, that nothing in this Act contained shall be deemed in any way to affect the contracts or licenses of any corporation heretofore made or done in the State of Oregon."

FIFTH AMENDMENT.

Strike out all of sections numbered 5, 6, 7, 8, 9, 10, 11 and 12.

SIXTH AMENDMENT.

After the word "State," in the 11th line of the 11th page insert the following, viz.: "And such summons shall require the appearance of the corporation or company so served in the action or suit in which said summons was issued at the times and in the manner provided for the appearance of parties when served under the regular laws of this State."

SEVENTH AMENDMENT.

Strike out all of section 13 from and after and including of the words "for keeping," in the 18th line of the 11th page.

EIGHTH AMENDMENT.

Strike out the word "State," in the 28th line of the 12th page, and insert in the place thereof the following, viz.: "Common school fund of the county in which such action shall be brought."

NINTH AMENDMENT.

Change the numbers of the sections as follows, viz.: No. 13 to No. 5, No. 14 to No. 6, No. 15 to No. 7, No. 16 to No. 8.

S. R. HARRINGTON,
Chairman.

Mr. Henry moved to adopt the amendments to senate bill No. 1.

Mr. Thompson moved to amend the motion by striking out all after section 4.

On motion of Mr. Goodsell, the house tabled the amendments and the bill.

102

Mr. Haley moved to suspend the rules and read senate bill second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Biggs, Culver, Crockett, Daly, Gard, Goodsell, Gay, Hicks, Holmes, Haley, Kruse, Lafollett of Marion, Layman, Laughlin, Little, McLean, McKenzie, McCully, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Smith, Wilson, Wilcox, Mr. Speaker—31.

Nays—Messrs. Bowditch, Bilyeu, Blevins, Crook, Davis, Holland, Henry, Hansard, Harris, Harrington, Johnson, Lockett, Mayer, Max-

well, Miller of Jackson, Miller of Linn, Mackay, Noyer, Swank, Thompson; Taylor, Vanderpool—22.

Absent—Messrs. Blundell, Gubser, Hale, Lafollett of Yamhill, Mitchell, Munger, Summers—7.

So the house refused to suspend the rules.

Mr. Noyer moved to suspend the rules and take up senate bills No. 183 and 172.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blundell, Bowditch, Bilyeu, Biggs, Crook, Culver, Crockett, Davis, Daly, Goodsell, Gay, Holland, Henry, Harris, Harrington, Lockett, Little, Mayer, Maxwell, Miller of Jackson, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Pendleton, Roberts, Taylor, Wilson, Wilcox—31.

Nays—Messrs. Benjamin, Hansard, Hicks, Holmes, Haley, Johnson, Kruse, Lafollett of Marion, Layman, Laughlin, McLean, Palmer, Paulsen, Richardson, Stafford, Swank, Smith, Thompson, Vanderpool, Mr. Speaker—20.

Absent—Messrs. Blevins, Gard, Gubser, Hale, Lafollett of Yamhill, Miller of Linn, Mitchell, Munger, Summers—9.

So the house refused to suspend the rules in favor of senate bills Nos. 183 and 172.

On motion of Mr. Biggs, the house took up consideration of senate bill No. 35 and the bill was read the third time.

“Shall the bill pass?”

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Bilyeu, Biggs, Blevins, Culver, Crockett, Gard, Goodsell, Gay, Holland, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Lafollett of Marion, Layman, Laughlin, Miller of Jackson, Miller of Linn, Mitchell, McLean, McKenzie, Mackay, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Stafford, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—46.

Nays—Messrs. Little, Mayer, McCully, Swank—4.

Absent—Messrs. Blundell, Bowditch, Crook, Davis, Daly, Gubser, Hale, Lafollett of Yamhill, Maxwell, Munger—10.

So senate bill No. 35 passed.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 18, 1887. }

Mr. Speaker: I am directed by the President to inform you that senate bill No. 107 has been reported correctly enrolled.

And the same is herewith transmitted to you for your signature.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 18, 1887. }

Mr. Speaker: I am directed by the President to inform you that senate bill No. 27 has been reported correctly enrolled.

And the same is herewith transmitted to you for your signature.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 18, 1887. }

Mr. Speaker: I am directed by the President to inform you that senate bill No. 162 has been reported correctly enrolled.

And the same is herewith transmitted to you for your signature.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 18, 1887. }

Mr. Speaker: I am directed by the President to inform you that senate bill No. 95 has been reported correctly enrolled.

And the same is herewith transmitted to you for your signature.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 18, 1887. }

Mr. Speaker: I am directed by the President to inform you that senate bill No. 6 has been reported correctly enrolled.

And the same is herewith transmitted to you for your signature.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, February 18, 1887. }

Mr. Speaker: I am directed by the President to inform you that senate bill No. 20 has been reported correctly enrolled.

And the same is herewith transmitted to you for your signature.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, February 18, 1887. }

Mr. Speaker: I am directed by the President to inform you that senate bill No. 10 has been reported correctly enrolled.

And the same is herewith transmitted to you for your signature.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, February 18, 1887. }

Mr. Speaker: I am directed by the President to inform you that senate bill No. 66 has been reported correctly enrolled.

And the same is herewith transmitted to you for your signature.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, February 18, 1887. }

Mr. Speaker: I am directed by the President to inform you that senate bill No. 37 has been reported correctly enrolled.

And the same is herewith transmitted to you for your signature.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 18, 1887. }

Mr. Speaker: I am directed by the President to inform you that senate bill No. 161 has been reported correctly enrolled.

And the same is herewith transmitted to you for your signature.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 18, 1887. }

Mr. Speaker: I am directed by the President to inform you that senate bill No. 48 has been reported correctly enrolled.

And the same is herewith transmitted to you for your signature.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 18, 1887. }

Mr. Speaker: I am directed by the President to inform you that senate bill No. 155 has been reported correctly enrolled.

And the same is herewith transmitted to you for your signature.

E. G. HURSH,
Chief Clerk.

The Chair announced that he was about to sign senate bills Nos. 107, 27, 162, 95, 6, 20, 66, 37, 161, 48 and 155, and subsequently that he had signed them.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 18, 1887. }

Mr. Speaker: I am directed by the President to inform you that he has signed house bill No. 115.

And the same is herewith transmitted to you.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, February 18, 1887. }

Mr. Speaker: I am directed by the President to inform you that he has signed house bill No. 167.

And the same is herewith transmitted to you.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, February 18, 1887. }

Mr. Speaker: I am directed by the President to inform you that he has signed house bill No. 197.

And the same is herewith transmitted to you.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, February 18, 1887. }

Mr. Speaker: I am directed by the President to inform you that he has signed house bill No. 38.

And the same is herewith transmitted to you.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
SALEM, February 18, 1887. }

Mr. Speaker: I am directed by the President to inform you that he has signed house bill No. 56.

And the same is herewith transmitted to you.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 18, 1887. }

Mr. Speaker: I am directed by the President to inform you that he has signed house bill No. 241.

And the same is herewith transmitted to you.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 18, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed house bill No. 229, being a bill for an Act to provide for the election of precinct assessors and other purposes.

And the same is herewith transmitted to you.

E. G. HURSH,
Chief Clerk.

On motion of Mr. Benjamin, the house took up senate bill No. 154 for consideration.

At this point the senate was announced.

JOINT CONVENTION.

President Carson advanced and took the Speaker's chair.

After seating, the President ordered the Clerk of the senate to call the roll of the senate, and the Senators were all present.

The Speaker ordered the Clerk of the house to call the roll of the house and the members responded except Messrs. Blundell and Charles Lafollett.

The President then announced the object of the convention to be the election of three Fish Commissioners, and announced nominations as being in order.

Mr. Daly nominated Mr. A. M. Holmes.

Mr. Pomeroy nominated Mr. R. C. Campbell.

Senator Miller nominated Mr. F. C. Reed.

Mr. Bowditch nominated W. B. Adair.

Senator Gray nominated Mr. J. C. Bozarth.

Mr. Crook nominated Mr. E. P. Thompson.

On motion of Senator Wager, the convention declared the nominations closed.

The convention proceeded to take the vote, with the following result:

Those voting for F. C. Reed were:

Messrs. Barin, Bird, Benjamin, Bilyeu, Biggs, Coleman, Cartwright, Chamberlin, Crook, Culver, Dimick, Davis, Gard, Gubser, Goodsell, Hamilton, Holland, Henry, Hansard, Hicks, Harris, Harrington, Haley, Irvine, Johnson, Kruse, Lee, Looney, Lafollett of Marion, Layman, Laughlin, Little, Miller of Josephine, Maxwell, Miller of Jackson, McLean, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Roberts, Richardson, Shupe, Simon, Stafford, Swank, Summers, Smith, Thompson, Taylor, Veatch, Vanderpool, Williams, Mr. President, Mr. Speaker—60.

Those voting for J. C. Bozarth were:

Messrs. Allen, Barin, Bird, Blevins, Coleman, Cartwright, Chandler, Chamberlin, Dawson, Dimick, Daly, Emmett, Gray, Hamilton, Hale, Hicks, Holmes, Irvine, Lee, Looney, Lockett, Lafollett of Marion, Laughlin, Miller of Linn, McCully, Paulsen, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Stafford, Veatch, Weatherford, Wager, Watts, Wilson, Wilcox—39.

Those voting for E. R. Thompson were:

Messrs. Allen, Benjamin, Bowditch, Biggs, Blevins, Chandler, Cauthorn, Crook, Culver, Dawson, Davis, Emmett, Gray, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Harris, Harrington, Holmes, Johnson, Kruse, Lee, Lockett, Layman, Laughlin, Little, Mayer, Maxwell, Miller of Jackson, Mitchell, McLean, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Rinehart, Roberts, Richardson, Siglin, Shupe, Stanley, Steel, Stafford, Summers, Smith, Thompson, Veatch, Vanderpool, Williams, Weatherford, Wager, Wilson, Wilcox, Mr. President, Mr. Speaker—65.

Those voting for R. C. Campbell were:

Messrs. Allen, Barin, Bird, Benjamin, Bowditch, Bilyeu, Biggs, Cartwright, Chamberlin, Crook, Culver, Dimick, Gubser, Goodsell, Gay, Holland, Henry, Hansard, Hicks, Harris, Harrington, Johnson, Kruse, Looney, Lafollett of Marion, Layman, Little, Mayer, Maxwell, Mitchell, McLean, McKenzie, Mackay, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Simon, Steel, Summers, Smith, Taylor, Williams, Watts, Wilson, Mr. President, Mr. Speaker—49.

Those voting for W. B. Adair were:

Messrs. Bowditch, Bilyeu, Blevins, Coleman, Chandler, Cauthorn, Dawson, Davis, Daly, Emmett, Gray, Gard, Gay, Hamilton, Hale, Irvine, Lockett, Miller, Mayer, Miller of Jackson, Miller of Linn, Mitchell, McKenzie, Noyer, Osborn, Rinehart, Siglin, Stanley, Taylor, Vanderpool, Weatherford, Wager, Wilcox—33.

Scattering—Senator Cauthorn for Colwell, Messrs. Daly and Haley for Holmes, Mr. Holmes for Daly, Mr. I. D. Miller for Simon, Mr. Thompson for Harrington, Mr. Haley for Lafollett.

The President announced that Messrs. Campbell, Reed and Thompson having received a majority of all the votes cast were duly elected Fish Commissioners for the ensuing two years.

On motion of Mr. Weatherford, the convention dissolved.

IN THE HOUSE.

Senate bill No. 154 was read second time.

Mr. Noyer moved to suspend the rules and read the bill the third time and put it on its final passage now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Bowditch, Bilyeu, Culver, Davis, Daly, Gubser, Goodsell, Henry, Hansard, Harris, Harrington, Holmes, Johnson, Kruse, Lafollett of Marion, Layman, Laughlin, Mayer, Maxwell, Miller of Linn, Mitchell, McLean, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Richardson, Stafford, Swank, Smith, Taylor, Vanderpool, Wilson, Mr. Speaker—40.

Nays—None.

Absent—Messrs. Blundell, Biggs, Blevins, Crook, Crockett, Gard, Gay, Holland, Hale, Hicks, Haley, Lockett, Lafollett of Yamhill, Little, Miller of Jackson, Munger, Roberts, Summers, Thompson, Wilcox—20.

So the rules were suspended.

A call of the house was demanded.

Before proceeding with call of the house the committee on enrolled bills was excused, by motion of Mr. Culver.

The roll was called and those absent were Messrs. Blundell, Biggs, Blevins, Crook, Davis, Gay, Holland, Hale, Hicks, Lafollett of Yamhill, Little, Mayer, Miller of Jackson, Munger, Paulsen, Roberts, Summers, Wilcox—17.

Mr. Bilyeu moved further proceedings under call of the house be dispensed with.

Lost.

The Sergeant-at-Arms was ordered to bring in the absentees.

Shortly thereafter he presented at the bar Messrs. Blevins, Summers, Little, Gay, Davis, Wilcox and R. A. Miller, who were noted present.

On motion of Mr. Noyer, further proceedings under call of the house was dispensed with.

Senate bill No. 154 read third time.

"Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Bowditch, Bilyeu, Biggs, Blevins, Culver, Crockett, Davis, Daly, Gard, Goodsell, Gay, Holland, Henry, Hansard, Harris, Harrington, Holmes, Haley, Johnson, Kruse, Lockett, Layman, Laughlin, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, McKenzie, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Wilson, Wilcox, Mr. Speaker—47.

Nays—Messrs. Gubser, Little, Mayer, Stafford—4.

Absent—Messrs. Blundell, Crook, Hale, Hicks, Lafollett of Marion, Lafollett of Yamhill, Munger, Mackay, McCully—9.

So senate bill No. 154 passed.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 18, 1887. }

Mr. Speaker: Your committee on enrolled bills, to whom was referred house bill No. 30, beg leave to report the same back to the house as correctly enrolled.

JOHN WILSON,
Chairman.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 18, 1887. }

Mr. Speaker: I am directed by the President to inform you that senate bill No. 113 has been reported to you correctly enrolled.

And the same is herewith transmitted to you for your signature.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 18, 1887. }

Mr. Speaker: I am directed by the President to inform you that senate bill No. 133 has been reported correctly enrolled.

And the same is herewith transmitted to you for your signature.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 18, 1887. }

Mr. Speaker: I am directed by the President to inform you that senate bill No. 112 has been reported correctly enrolled.

And the same is herewith transmitted to you for your signature.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 18, 1887. }

Mr. Speaker: I am directed by the President to inform you that senate bill No. 103 has been reported correctly enrolled.

And the same is herewith transmitted to you for your signature.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 18, 1887. }

Mr. Speaker: I am directed by the President to inform you that senate bill No. 7 has been reported correctly enrolled.

And the same is herewith transmitted to you for your signature.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 18, 1887. }

Mr. Speaker: I am directed by the President to inform you that senate bill No. 175 has been reported correctly enrolled.

And the same is herewith transmitted to you for your signature.
E. G. HURSH,
Chief Clerk.

The Chair announced that he was about to sign senate bills Nos. 175, 7, 133, 113, 112, 103 and house bill No. 30, and subsequently that he had signed them.

Mr. Bilyeu introduced

HOUSE RESOLUTION NO. 61.

Resolved, That a committee of three be appointed by the house to await upon the Governor and inform him that the house is about to adjourn *sine die*, and is ready to receive any communication he may have to make.

The resolution was adopted.

The Chair appointed as committee, Messrs. Bilyeu, Goodsell and Maxwell.

On motion of Mr. Taylor, the house took up senate bill No. 131. The bill was read second time.

Mr. Harrington moved to suspend the rules and read third time now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Bowditch, Blevins, Culver, Davis, Daly, Gay, Holland, Henry, Harris, Harrington, Holmes, Haley, Johnson, Lockett, Laughlin, Little, Mayer, Miller of Jackson, Miller of Linn, Mitchell, McLean, Mackay, McCully, Noyer, Osborn, Pendleton, Roberts, Richardson, Summers, Taylor Vanderpool, Wilson, Wilcox, Mr. Speaker—35.

Nays—Messrs. Gubser, Hansard, Hicks, Layman, Munger, McKenzie, Palmer, Paulsen, Stafford, Swank, Smith, Thompson—12.

Absent—Messrs. Blundell, Bilyeu, Biggs, Crook, Crockett, Gard, Goodsell, Hale, Kruse, Lafollett of Marion, Lafollett of Yamhill, Maxwell, Pomeroy—13.

So the house refused to suspend the rules in favor of senate bill No. 131.

Mr. Hicks moved to suspend the rules and take up senate bill No. 30.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Benjamin, Blevins, Culver, Davis, Gard, Gay, Hicks, Lockett, Lafollett of Marion, Layman, Laughlin, Little, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McCully, Noyer, Pendleton, Paulsen, Roberts, Stafford, Smith, Taylor, Mr. Speaker—26.

Nays—Messrs. Bowditch, Daly, Gubser, Hale, Henry, Hansard, Harris, Harrington, Holmes, Haley, Johnson, Mayer, Munger, Mackay, Osborn, Palmer, Richardson, Swank, Thompson, Vanderpool, Wilson—21.

Absent—Messrs. Blundell, Bilyeu, Biggs, Crook, Crockett, Goodsell, Holland, Kruse, Lafollett of Yamhill, Maxwell, Pomeroy, Summers, Wilcox—13.

So the house refused to suspend the rules.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 18, 1887. }

Mr. Speaker: Your committee appointed to await upon the Governor under house resolution No. 61, beg leave to report that they have performed the duty assigned, and his excellency the Governor desires to inform the house that he has no further communication to make except to congratulate them upon the faithful discharge of their duties.

L. BILYEU,
J. W. MAXWELL,
D. GOODSSELL.

Mr. Layman offered

HOUSE CONCURRENT RESOLUTION NO. 26.

WHEREAS, Thomas Van Scoy has offered to buy the desks formerly used in the house of representatives, and to pay therefor the sum of seventy-five cents each; now, therefore,

Be it resolved by the House, the Senate concurring:

That the Secretary of State is hereby authorized to sell said desks at the price above mentioned to said Thomas Van Scoy.

On motion of Mr. Summers, the resolution was adopted.

Mr. R. A. Miller introduced

HOUSE RESOLUTION NO. 62,

As follows:

Resolved, That the thanks of this house are due and the same are hereby tendered to the Hon. J. F. Gregg, Speaker, for the able, impartial and efficient manner in which he has at all times discharged the arduous duties of his position as presiding officer of this body, and we, the members of this house, will ever remember him for the uniform courtesies shown us during the session now about to close, and our best wishes for his future success are hereby tendered.

Mr. R. A. Miller moved the adoption, and the question having been stated by the Clerk, the resolution was unanimously adopted.

Mr. Bilyeu introduced

HOUSE RESOLUTION NO. 63,

As follows:

Resolved, That we, the democratic minority of the house, in view of the kindness and courtesy extended towards us by the republican members of this body, cannot depart to our several homes without tendering them an expression of heartfelt gratitude for their actions towards us, and on taking our leave we beg to assure them that their names and actions will ever remain fresh in our memories.

The resolution was adopted, on motion of Mr. Henry.

Mr. Henry introduced and Mr. Davis moved the adoption of the following:

HOUSE RESOLUTION NO. 64,

That the thanks of the democratic minority are hereby tendered to Hon. J. T. Gregg, the Speaker of this house, for the impartial manner in which he has discharged his important duties during the present session. His actions as presiding officer of this house show that he has sunk the partisan in the patriot, and is a man of the people and for the people, and with the assurance that he has our best wishes for a successful career in this life we ask that this resolution be adopted.

Mr. Bilyeu seconded the motion to adopt.

The Clerk stated the question and the resolution was adopted without dissent.

Mr. Daly introduced

HOUSE RESOLUTION NO. 65.

As follows:

Resolved, That the thanks of the house are hereby tendered to the

clergymen of this city for their kindness in ministering to the spiritual wants of this house during this session about to close.

On motion of Mr. Summers, resolution was adopted.

Mr. Goodsell introduced

HOUSE RESOLUTION NO. 66.

Resolved by the Republican majority of the House of Representatives of the Fourteenth Biennial Session of the Legislative Assembly of the State of Oregon :

That we congratulate the democratic minority upon its ability and for its assistance and fairness in conducting the legislature of the session.

Mr. Harrington moved the adoption of the resolution and made a patriotic speech on the subject, and the resolution was adopted.

Mr. Bowditch introduced

HOUSE RESOLUTION NO. 67.

Resolved, That the members of the house do hereby extend a vote of thanks to the reporters of the different newspapers who have attended the session of the legislature, for the fairness and courtesy with which they have treated us in their reports of house proceedings.

On motion of Mr. Bowditch, house resolution No. 67 was adopted.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 18, 1887. }

Mr. Speaker: I am directed by the President to inform you that he has signed house bill No. 30.

And the same is herewith transmitted to you.

E. G. HURSH,
Chief Clerk.

Mr. Thompson moved that the thanks of the house be tendered the Postal Telegraph Company for the use of their wires.

Carried.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 18, 1887. }

Mr. Speaker: I am directed by the President to inform you that

the senate has passed house bill No. 270, being the general appropriation bill, together with the amendments herewith enclosed.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

FIRST AMENDMENT.

Add the following clause after line 77, page 4 of printed bill: "For pay of railroad commissioners and clerk and other expenses under the Act approved February 18, 1887, \$15,000 00."

SECOND AMENDMENT.

On page 6 of printed bill insert the words "from the" before the following clauses on said page: "Common school fund," "State land fund," "escheat fund," "university fund," "agricultural college fund, principal," "common school fund, principal," "State land fund, principal."

On motion of Mr. Goodsell, senate amendments to house bill No. 270 were adopted and the bill ordered enrolled.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 18, 1887. }

Mr. Speaker: I am directed by the President to inform you that senate bill No. 35 has been reported correctly enrolled.

And the same is herewith transmitted to you for your signature.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 18, 1887. }

Mr. Speaker: I am directed by the President to inform you that senate bill No. 154 has been reported correctly enrolled.

And the same is herewith transmitted to you for your signature.

E. G. HURSH,
Chief Clerk.

The Chair announced that he was about to sign senate bills Nos. 35 and 154, and subsequently that he had signed them.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 18, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has adopted senate concurrent resolution No. 16, providing for the appointment of a joint committee of five to wait on the Governor to inform him that the legislative assembly is about ready for adjournment.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

Mr. Lockett moved to concur in senate concurrent resolution No. 16.

The house adopted the resolution.

The Chair appointed Messrs. Summers, Thompson and Holland as committee in accordance with the resolution.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 18, 1887. }

Mr. Speaker: I am directed by the President to inform you that he has appointed Messrs. Gray and Coleman on the joint committee under senate concurrent resolution No. 16 to wait on the Governor and inform him of the dissolution of this legislative assembly.

E. G. HURSH,
Chief Clerk.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 18, 1887. }

Mr. Speaker: Your committee on enrolled bills, to whom was referred house bill No. 270, beg leave to report the same back to the house as correctly enrolled.

JOHN WILSON,
Chairman.

The Speaker announced that he was about to sign house bill No. 270, and subsequently that he had signed it.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 18, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed house bill No. 210, being a bill for an Act to amend pilot laws.

And the same is herewith transmitted to you for your signature.

E. G. HURSH,
Chief Clerk.

And the bill was ordered enrolled.

The house part of the joint committee appointed under senate concurrent resolution No. 16 reported that they had discharged their duty, and his excellency had no further communication to make but to congratulate the house on the termination of their labors and to extend to the members his good wishes.

REPORT.

HOUSE OF REPRESENTATIVES,
SALEM, February 18, 1887. }

Mr. Speaker: Your committee on enrolled bills, to whom was referred house bill No. 210, beg leave to report the same back to the house as correctly enrolled.

JOHN WILSON,
Chairman.

The Speaker announced that he was about to sign house bill No. 210, and subsequently that he had signed it.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 18, 1887. }

Mr. Speaker: I am directed by the President to inform you that he has signed house bill No. 270.

And the same is herewith transmitted to you.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 18, 1887. }

Mr. Speaker: I am directed by the President to inform you that he has signed house bill No. 210.

And the same is herewith transmitted to you.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 18, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed house bill No. 190, being a bill for an Act to appropriate money to aid county and district agricultural associations.

And the same is herewith transmitted to you for enrollment.

E. G. HURSH,
Chief Clerk.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 18, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has adopted house bill No. 155, being a bill for an Act to regulate proper appropriation of road moneys.

And the same is herewith transmitted to you for the consideration of the house.

E. G. HURSH,
Chief Clerk.

The Speaker then delivered the following

ADDRESS.

GENTLEMEN: When I assumed the position of your presiding officer I thanked you for the honor which you had conferred, and asked you for co-operation and assistance to perform the responsible duties which would devolve upon me. It will not be long until I shall lay the gavel down for the last time in this session, and before doing so it is fitting that I should express my feelings of thanks and gratitude to you, each and all, for the uniform courtesies and

hearty support which have been given me during the entire session now closing.

With your invaluable assistance I hope to have pleased you in the main, without which nothing but dissatisfaction to all concerned could have been the result.

No doubt I have made mistakes, but permit me to assure you that it has been my firm resolve to so conduct the affairs of this position that when they were done I should not be compelled to recall errors intentionally made or misdeeds willfully committed. You, it must be said, deserve congratulations upon the harmony and good feeling which have prevailed in your deliberations throughout and for the disposition signally manifested to guard the people's welfare.

There is one member of this body who needs not a photograph of the others to refresh his memory of their earnest features. As time rolls on whatever else the future may bring to me there will be a page in my history to which I shall often return and peruse with pleasure, because upon it will be indelibly stamped the faces of fifty-nine gentlemen, each of whom possesses my kindest regards.

And now, as the hand points to the hour when in obedience to a concurrent resolution of this assembly it becomes my duty to declare this body adjourned without day, it gives me pleasure to extend to you my best wishes for the future, hoping that happiness and success will attend your footsteps, and that when you return to your homes and your constituents you will receive the merited plaudit, "Well done, thou good and faithful servant."

Mr. Maxwell moved that the address of the Speaker be placed upon the journal.

The Clerk put the motion, which prevailed.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
SALEM, February 18, 1887. }

Mr. Speaker: I am directed by the President to inform you that the senate has passed house bill No. 51, being a bill for an Act to change the name of Averill.

And the same is herewith transmitted to you for enrollment.

E. G. HURSH,
Chief Clerk.

And the bill was ordered enrolled.

Mr. Bilyeu moved that the house adjourn *sine die*.

The motion prevailed and the Speaker declared the house of representatives of the legislative assembly of the fourteenth biennial session adjourned without day.

CHIEF CLERK'S CERTIFICATE.

I, A. C. Jennings, Chief Clerk, do hereby certify that the foregoing is a true and correct journal of the proceedings of the house of representatives of the fourteenth biennial session of the legislative assembly of the State of Oregon, from the 10th day of January, 1887, to the 18th day of February, 1887, inclusive.

A. C. JENNINGS,

Chief Clerk of the House of Representatives.

JOHN P. COLE,

Assistant Clerk.

COMMITTEE ON APPROVAL.

STATE CAPITOL, !
SALEM, March 1, 1887. }

The committee appointed under house resolution No. 59, to revise and approve the journal of the house of representatives of the legislative assembly of the fourteenth biennial session, beg leave to report that we have performed the duty assigned us, and hereby approve the same.

J. T. GREGG,
T. D. McCULLY,
ROBERT A. MILLER.

ERRORS.

Page 231, "house bill No. 156" should read "senate bill No. 156."

Page 267, insert before first line "House bill No. 38 read third time."

Page 278, in fourth line after the word "judiciary" read "Mr. Noyer moved to suspend the rules and read house bill No. 130 second time by title only."

Page 315, "house bill No. 188" should read "house bill No. 198."

Page 361, "house bill No. 288" should read "house bill No. 228."

Page 375, "house bill No. 257" should read "house bill No. 254."

Page 385, after eighth line insert "So house bill No. 79 failed to pass."

Page 595, "house bill No. 233" should read "house bill No. 223."

Page 608, in twenty-fourth line "motion prevailed" should read "motion failed."

Page 779, "Senate bill No. 92 read first time" should read "Senate bill No. 92 read third time."

Page 791, "house bill No. 66" should read "senate bill No. 66."

Page 798, in first line "house bill No. 125" should read "senate bill No. 125."

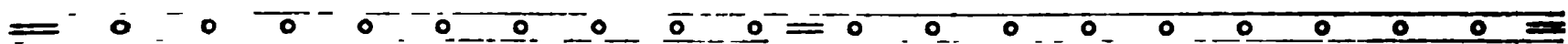
Page 798, in nineteenth line "house bill No. 125" should read "senate bill No. 155."

Page 802, "senate bill No. 163" should read "senate bill No. 162."

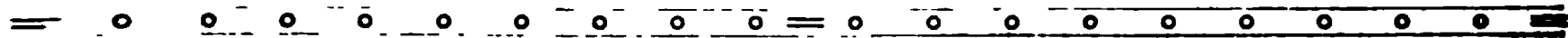
Page 813, in twenty-sixth line after "senate bill" insert "No. 167."

Page 250, "Senate bill No. 152 read first time" should read "Senate bill No. 152 read second time."

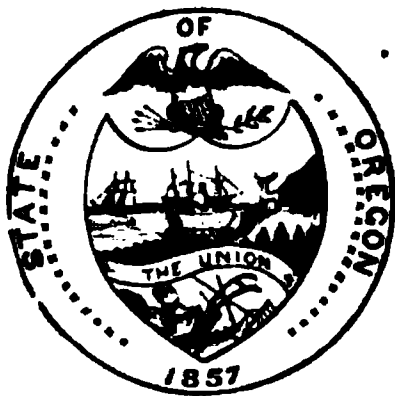
M. P. Gard should appear M. O. Gard.



APPENDIX.



BIENNIAL MESSAGE
OF
GOV. Z. F. MOODY
TO THE
LEGISLATIVE ASSEMBLY.
FOURTEENTH REGULAR SESSION.
1887.



SALEM, OREGON:
W. H. BYARS, STATE PRINTER.
1886.

MESSAGE OF GOV. Z. F. MOODY.

Gentlemen of the Oregon Legislative Assembly:

Permit me, as an introduction to this my last report, to congratulate you upon the favorable auspices under which you are assembled. Our people are blessed with general good health and with bountiful harvests. Business interests throughout the State are in a prosperous condition. There is everywhere a fair reward and demand for labor. Our State is free from debt, and the promise of the future is full of hope and inspiration.

It is my duty to furnish you with a general statement of the condition of the affairs of the State, referring you, for minute details and more specific information, to the reports of the various State officers, which will be placed before you.

FINANCES.

A full exhibit of the financial condition of the State is given in the reports of the Secretary of State and State Treasurer. As will appear from these reports, the amount remaining in the treasury on the first day of January, 1887, was \$382,483 42. The financial condition of the State is now better than it has ever been in all of its previous history. Under the Act approved February 26, 1885, empowering the Governor, Secretary of State and State Treasurer to compute and declare the State levy of taxes, the amount of the levy for current expenses was in 1885 reduced 3 1-10 mills and in 1886 to 1 19-20 mills.

Since my assumption of the duties of the executive office, the State tax levy has been reduced from 5½ mills to the amount of the present levy. Within this time a portion of the insane asylum has been finished, and it has been furnished throughout; the brick stockade about the penitentiary grounds has been built; four additional workshops and a large wing to the main penitentiary build-

ing have been erected; large tracts of land for the use of the asylum and penitentiary have been purchased; the assembly chamber and all of the halls and corridors and the western approach and a portion of the eastern approach of the State capitol have been completed, together with various minor improvements in the public buildings of the State, involving an expenditure of fully a quarter of a million of dollars. It is believed that by proper management the present levy of 1 19-20 mills can be still further reduced, since the old debts, which have been hampering the last two State administrations, have been finally disposed of, and since the necessity for heavy expenditures in public improvements will probably not be pressing for many years to come. Besides the usual revenue arising from taxation, it is probable that the State will, within the next few months, receive from the General Government the sum of about \$351,000, due her for debts contracted and damages sustained in the suppression of Indian war depredations. Great credit is due Hon. R. P. Earhart, Secretary of State, for the interest he has taken in the preparation of these claims for presentation to the authorities in Washington. The levy already made will meet the current expenses of the State for the ensuing year. Should the amount which is about to be paid by the General Government to the State be applied towards the payment of current expenses it would be sufficient to meet those expenses for a period of two years and leave a surplus probably sufficient to complete the capitol building. Since your last biennial session there has been received from the sale of swamp lands the sum of about \$74,000, which has been applied towards the cancellation of outstanding road warrants payable from this fund. There are outstanding warrants payable exclusively from the proceeds of this fund the sum of about \$50,000, which constitutes the sole indebtedness of this State. The amounts thus far received have mainly come from the first payment upon these lands, leaving a balance due the State thereon of from \$800,000 to \$1,000,000.

The report of Hon. E. P. McCornack, clerk of the board of school land commissioners, will show the condition of the various land grants belonging to the State, and of the funds arising from the sale of lands. This report shows the condition of these funds to be as follows:

Common school fund, principal-----	\$1,059,409 01
Agricultural college fund, principal-----	99,015 15
University fund, principal -----	78,171 49

SWAMP LANDS.

In all of those States which have received from the General Government a grant of the swamp lands within their borders the settlement and adjustment of the grant and the disposal of the lands has been a fruitful source of embarrassment and prolific of disputes and litigation. In this State the difficulties inherent in the subject have been aggravated by the enactment in 1870 by the State legislature of a law for the sale of these lands which was singularly loose and prodigal in its provisions, and under which, within a very short time, practically all the swamp land of the State, and much, doubtless, that was not of that character, was filed upon and claimed.

During the administration of Governor Grover the State was offered by the interior department either of two modes of identifying the lands falling within the grant—the returns of the field notes of the deputy United States surveyors or the affidavits of witnesses personally cognizant of the character of the lands. By a joint resolution of the legislature, passed in 1874, the latter plan was adopted. Subsequently, during the administration of Governor Thayer, this plan was modified by the substitution of a joint commission consisting of one member appointed by the general land office and one by the Governor of this State, who were to make personal examination of the lands and report thereon. At all times since the adoption of a method of identification the authorities of the State have been industrious and persistent in their efforts to secure a speedy settlement of the grant, though, it must be confessed, with a success which has not been equal to our just expectations.

In this connection, it is proper to refer to the efforts of Captain John Mullan, our State agent in Washington, who has been faithful in urging the adjustment of these matters.

In my message to the legislative assembly at the regular session of 1885 I gave a detailed statement of what had been done up to that time. The selections made by Messrs. Ping and Hewitt, therein referred to, are still awaiting action by the department of the interior. Mr. Ping, the Government agent, was withdrawn from the work in 1883, and notwithstanding the active endeavors of the executive of the State to have the work resumed the authorities of the General Government neglected to co-operate further with the State, with the single exception of detailing a special agent to make an examination of about five hundred acres, until 1885, when they deputed a subordinate of the United States land department to continue the examination

under the agreement. Mr. Frank A. Abernethy was appointed on the part of the State to act in conjunction with him. Feeling that almost any adjustment of the question was better than the existing conditions and that the interests of the State would be subserved by the prompt abandonment of its claim to lands as to the character of which there could be any doubt, I instructed the agent on the part of the State to proceed to the completion of the work designated as rapidly as possible; that the interests of the State were concerned not so much in obtaining title to a large area of land as in the speedy adjustment of the grant, and that whenever there appeared to him to be colorable ground for claiming that a particular tract of land was not swamp he should at once so list it. Mr. Abernethy, in the work performed by him, has faithfully and intelligently carried out these instructions. Large amounts of land were inspected by this commission, the character of the land, parcel by parcel, was agreed upon, and lists were prepared accordingly; but for some reason, of which I am not advised, the agent of the Government, upon his return from the field, declined to sign any of said lists. It will thus be seen that no effort has been spared on the part of the State authorities to dispose of the swamp land question, but under the law the Secretary of the Interior has the exclusive authority in the premises, and a final determination of the question is dependent entirely upon his action. The rapid advance of immigration into the regions where most of the lands claimed as swamp and overflowed lie daily adds to the urgency and difficulty of the subject, while the existence of claims to lands of definite extent and undetermined validity not only retards the settlement of the country but is a source of constant irritation between rival claimants. The State, as I conceive, is powerless in the matter except as it may, through appropriate channels, stimulate the action of the authorities and afford a ready concurrence in any proposed action on their part. I have endeavored, so far as the subject came within my province, to conform my actions to this course. If the results have not been commensurate with my hopes I feel conscious that the responsibility does not lie with executive the office. Like all questions affecting the disposal of the public lands, this subject is one in which every citizen justly feels a deep and lively interest, and this circumstance has made it a favorite topic for the charlatan and demagogue, affording the opportunity to appeal to the public prejudice through representations usually misleading and frequently maliciously false. The subject is of sufficient importance to deserve all the attention which can be given it, and I invite your most thorough scrutiny into the management thereof.

Full information concerning the disposal of these and other lands

belonging to the State will be found in the report of the board of commissioners. From information there furnished it appears reasonably certain that within the ensuing two years funds will be received from the sale of swamp lands sufficient to pay all indebtedness chargeable thereon and leave a very large surplus. The amount eventually to accrue therefrom will, it is believed, be not less than \$1,000,000, and it may considerably exceed that sum. I know of no way in which this surplus can be disposed of to a better advantage than devoting it to our common schools and making it a part of the irreducible school fund, and I would recommend the passage of an Act appropriating to that fund all sums received from the sale of swamp lands, after payment of the remainder of the indebtedness above referred to.

PUBLIC BUILDINGS.

The manner of the expenditure of the money appropriated for the building of the penitentiary extension and penitentiary stockade, the completion of the assembly chamber, and other improvements in the State capitol, is fully set forth in the report of the board of commissioners of public buildings, which will be laid before you. In the work of completing the assembly chamber, reference was had, in the main, to the original plans of the architect of the capitol, and such changes as have been made have been made solely in the interest of economy, and without detracting from the utility and ornament of the room, as contemplated in the original plans. The amount of \$75,000 has been expended upon the penitentiary improvements, and the remainder of the appropriation upon the State capitol. It was thought desirable to complete all of the capitol except the dome, and upon estimates made the amount at the disposal of the board seemed fully adequate for the purpose. Upon final presentation of all bills it appeared that there was a considerable deficiency. The surplus from various other appropriations made by the last legislature is, however, more than sufficient to cover the deficit. As the work has progressed so far, I submit to your wisdom whether it is not the part of economy to complete the building now.

THE INSANE ASYLUM.

Since your last regular session, the entire medical staff of the insane asylum has been changed. In October, 1885, Dr. A. J. Giesy submitted his resignation as second assistant physician, which was accepted, and the vacancy thus caused was supplied by the appointment of Dr. Horace W. Cox. On the 23d of March, 1886, Dr.

Horace Carpenter presented his resignation as medical superintendent of the asylum, which was accepted, to take effect on the 30th of April, 1886. Dr. S. E. Josephi, long connected with the asylum at East Portland prior to the building of the State asylum, was selected as his successor and qualified as such on the first day of May last. On the 1st of November, 1886, Dr. J. W. Givens, first assistant physician of the asylum, having been offered the superintendency of the Idaho asylum, at Blackfoot, resigned his position, and Dr. W. T. Williamson of Pendleton was named as his successor, his commission dating from the 13th of November, 1886. As all of the changes named occurred at different times and at long intervals, no inconvenience was experienced by the inmates and no detriment to the interests of the asylum resulted. The gentlemen named to fill the vacancies noted are physicians of capacity and experience, in whose hands the comfort and welfare of the patients have been secure. Having paid the asylum frequent visits, it has afforded me satisfaction to note the careful and intelligent manner in which the institution has been conducted. The trustees and officers having control have been zealous and efficient in the discharge of their duties, and the interests of the patients and of the State at large have been carefully guarded. For particulars relating to the internal management of the asylum you are respectfully referred to the report of the medical superintendent. It is gratifying to note that while no proper care or comfort has been denied to any patient, the cost of maintaining the institution during the last two years has been less than \$2.75 per capita per week, and the State has saved since the removal of the patients to Salem—estimated upon the basis of the former contract rate of \$5 per week per capita—almost the amount of the cost of the asylum building. I invite your careful consideration of the recommendations for repairs, additions and improvements to the asylum contained in the report of the superintendent. In my judgment, the most, if not all, of the requests made are necessary for the efficient conduct of the institution.

Under the law now in force, it is the duty of the county judge in passing upon the question of the sanity of one brought before him for commitment to the asylum, to make inquiry as to the financial ability of the party declared insane, with a view of holding him responsible for the expense of his care and treatment during the period of his confinement in the asylum. The revenue thus secured by the State is comparatively trivial, and even were it otherwise this requirement of the law is, in my opinion, inequitable, and I respectfully recommend its repeal, so far, at least, as it applies to resident freeholders. Citizens of the State owning property here are compelled to contribute their proportion of taxes towards the maintenance of

the asylum and other State institutions, and when it occurs that one of them is overtaken by so sad an infliction as that of insanity, it is manifestly unjust that he should be burdened with a special additional tax to secure such treatment and comforts as are freely bestowed without price upon many others who have contributed nothing whatever to the coffers of the State. The present requirement of the law works a positive hardship in many instances, particularly where the head of a household is bereft of reason leaving the management of a small property in the hands of a dependent and inexperienced family. It is common with our great corporations to retain each month a pittance of the wages of every employe to be reserved as hospital dues for the care and treatment of any one of them in case of sickness or disability incurred in the discharge of duty as such employe. Such a system is a just and humane one and the same considerations which commend it to our great corporations should apply with equal force in our treatment of the unfortunate insane, who have been called upon to contribute in the way of taxation to the support of our State institutions.

Another question relating to the comfort of our insane deserves consideration. It frequently happens that patients survive but a short time after reaching the asylum, one instance occurring in which death occurred in less than twelve hours after commitment. This fatality it is believed has resulted in some instances from want of proper care at the hands of those having patients in charge while being transported to the asylum. It has resulted not from cruelty or harsh treatment, but from want of experience. In the case of those coming from a long distance and whose physical health is seriously impaired it should be made the duty of the proper officer to notify the superintendent of the asylum of the facts, and ask for the sending of an experienced and competent attendant to conduct the patient to the asylum. This would be as economical as the present plan, and it would in many instances save the patient suffering and serious discomforts at a critical period when prolongation of life and full restoration is wholly dependent upon the care of an experienced nurse.

THE STATE PENITENTIARY.

At your last session an appropriation was made for additional improvements at the State capitol and at the penitentiary. Of this appropriation a sum not exceeding \$75,000 was to be devoted to the purpose of building an additional wing to the penitentiary and erecting a brick stockade about the penitentiary grounds. This was necessary, both for safety and for the accommodation of the con-

stantly increasing number of convicts. The penitentiary has been lengthened on the north 80 feet—44 iron cells and 22 brick cells being added to the capacity of the prison, a number sufficient, I trust, for years to come. The wooden stockade surrounding the prison grounds, which has been unsafe for years, has been replaced with a substantial brick stockade over 2,800 feet in length, $16\frac{1}{2}$ feet high and having an average thickness of 2 feet. This stockade and the new prison wing were constructed of brick made by convict labor on the penitentiary grounds. They contain upwards of 4,000,000 brick. Besides the building of the stockade and prison extension, there has been erected an addition to the penitentiary workshops 110 feet by $247\frac{1}{2}$ feet in dimensions. The brick needed for the construction of all these improvements have been made almost exclusively by convict labor. Besides the work thus done, about 200 convicts have been almost constantly employed in the shops of the Northwestern foundry, located upon the prison grounds, in the manufacture of stoves. The revenue derived from the penitentiary will closely approximate the total cost of conducting the institution.

The health of the inmates of the prison has been good, no epidemic of any kind having prevailed. The food furnished has been wholesome and abundant, and this, with the care which has been exercised in guarding the comfort and providing for the necessities of the prisoners, has contributed largely to the good health which has prevailed among them. No mutiny or attempted outbreak of any kind has occurred since your last regular session, and there have been no escapes, save those of two brothers, who were acting as trustees, and whose terms had almost expired. For fuller details with reference to the condition and management of the penitentiary I would refer you to the report of the superintendent.

Heretofore no action has been taken by the legislative assembly, so far as I am aware, having direct reference to the reform of the inmates of the penitentiary. No provision has been made by the State for religious teaching or moral training of any kind. Rev. J. L. Parrish of Salem has for the past fifteen years conducted services on Sunday afternoon once in two weeks at the prison without remuneration, and other clergymen have occasionally officiated. Some of the charitable ladies of Portland have secured a small library for the use of the inmates, but there has been no special organized effort on the part of the State having for its object the reformation of those confined in the penitentiary. No provision is made for the separation of hardened criminals—those convicted of the gravest crimes and those serving a second or third sentence—from youths and prisoners convicted of less heinous crimes and serving the shortest sentences.

Some course of moral training for those not so thoroughly steeped in crime as to be beyond reclamation should be provided. In this way many young men might be arrested in their criminal career, and by a proper course of discipline and a system for rewarding their efforts at reform might be encouraged to become useful members of society. I trust that your attention may be so attracted to this matter as to result in some salutary change in the direction named.

At your last regular session provision was made for the appointment of an advisory board of pardons to counsel with the executive in the matter of granting reprieves, pardons, etc., and the wisdom of this action has been fully vindicated. In pursuance of the authority thus conferred, Messrs. A. Bush and S. E. Josephi and Rev. R. W. Hill were named by me members of said board, and these gentlemen have for two years past given the benefit of their counsel and judgment in the consideration of applications for executive clemency. Meetings have been held by this board every three months, at which all applications have been considered. This has secured a more careful consideration of the merits of all cases submitted. The recommendations of the board have usually met my approval.

A number of the States are now much interested in the subject of prison treatment and prison labor. National institutes of charities and correction are being held annually and representatives from all States are invited to attend. The last one was held in August, 1886, at the city of Minneapolis. I designated Miss Helen F. Spaulding of Portland and Rev. Dr. R. W. Hill of Salem as delegates to represent this State. The work being done in this direction is little known or understood, but is destined to accomplish much for the improvement of prison methods. Several of the States have already established boards of charities and correction, whose duties are to inquire into and report upon the management of the various penal and charitable institutions of the State; to devise plans to promote the comfort and proper treatment of the inmates, and to submit in the form of stated reports such suggestions as in their judgment are calculated to prove beneficial to the dependent and criminal classes. It is my opinion that the organization of a board of this kind in this State is desired. It is believed that numbers of our wealthy and philanthropic citizens would willingly render aid in such a work without remuneration other than payment of expenses actually incurred. The principle of State supervision of charitable and correctional institutions doubtless meets your approval, and I submit that a well guarded law providing some such service as I have suggested would secure many needed reforms and tend greatly to lessen crime by ameliorating the condition of those from whose ranks a large proportion of our criminals are drawn.

Rev. J. L. Parrish, who has officiated for so many years as chaplain at our State penitentiary, was invited to attend a national convention of prison chaplains, recently held in Indianapolis, and it would have afforded me pleasure to have had the State represented; but as no funds are provided the executive for such a purpose the State was denied the advantages which might have followed the attendance of a representative upon the convention.

I submit herewith a report of the pardons, commutations and remissions granted during the past two years.

STATE UNIVERSITY.

At the last regular session of the legislature an appropriation of \$30,000 was made for the erection of an additional college building for the State university at Eugene to accommodate the increasing demand for room in that institution. This amount was quite sufficient to erect a large and commodious building and leave a small surplus.

It appears from the report of Hon. M. P. Deady, president of the board of regents, that the university is enjoying a fair degree of prosperity. The average attendance upon the university during the year ending June 17, 1887, was 104 in the collegiate department and 44 in the preparatory department, making a total of 148. The total revenue of the university for the year ending July 17, 1886, was \$20,924. The disbursements for the same period were \$19,518 89. A detailed statement showing the condition of the university is contained in the report for the past two years of the president of the board of regents, to which your attention is called.

STATE AGRICULTURAL COLLEGE.

In January, 1885, the corporation having the business management of the State agricultural college at Corvallis surrendered the same to the State. The information of this fact was at once communicated to the legislative assembly, and thereupon an Act was passed permanently locating the same in Benton count, at Corvallis, conditioned, however, that on or before the first day of January, 1887, there be erected upon the farm, known as the agricultural college farm, buildings for the purposes of the institution, to cost not less than \$25,000, the same to be entirely free from any lien or incumbrance whatever. At the special session of the legislature held in November, 1885, the time for the erection of the required buildings was extended to the first day of January, 1889, and the sum required

for the same was reduced to \$20,000. I am advised by the officers of the institution that the sum of \$20,000 in valid subscriptions for the proposed college building has been raised, with \$3,000 additional to pay off the indebtedness on the college farm.

The schools which have been designated as State normal schools have, I understand, been well patronized, and have done efficient work.

The common schools of the State, under the supervision of our efficient and energetic Superintendent of Public Instruction, Professor E. B. McElroy, are prosperous and rapidly increasing in strength and usefulness. The report of the Superintendent, which will be shortly laid before you, is full and complete, and will give you a minute and comprehensive showing of the great work being accomplished in this direction. The volume of work imposed upon the Superintendent has become so great that I would ask you to consider the propriety of affording him additional compensation and assistance.

The irreducible school fund of the State now amounts to \$1,059,409 01, an increase of \$330,338 24 in the last four years, and no trouble is experienced in keeping loaned all of the money in the fund. Few States in the Union are more fortunately situated with reference to the funds which support their public schools, and it is believed that the children of no State are afforded better facilities for securing, at slight cost, an education sufficient to equip them for the ordinary duties of active life.

SCHOOL FOR DEAF MUTES.

Under the capable management of Rev. and Mrs. P. S. Knight, who have had control for so many years, the school for deaf mutes has been doing excellent work. Some substantial buildings have been erected for this institution, and various improvements have been added. Little can be understood of the character of the work being done without a personal visit to the school and a study of the methods adopted and results obtained, and a full consideration of the difficulties under which all labor who undertake the work of educating this unfortunate class of people.

BLIND SCHOOL.

Our unfortunate classes have been as well provided for during the past two years as our accommodations and the funds placed at our disposal would permit. Hon. C. E. Moor resigned the superintend-

ency of the blind school at the close of the last school year, having rendered faithful and efficient work. The board of education secured the services of Rev. D. B. Gray and wife at the beginning of the present year, and they have shown sterling worth and capacity in their management of the school. The property which has been occupied by the blind school for a number of years was, in pursuance of provisions made at the last regular session of the legislature, purchased by the board for the sum of \$3,250. Both the deaf mute and the blind schools are in a prosperous condition. If education in industrial pursuits of some kind could be added to the course of education now furnished it would enable the pupils to go out into the world better equipped for the trials they must necessarily encounter. These unfortunates have such great demands upon us that we should refuse them no advantage that it is within our power to bestow.

ORPHANS' HOME.

The orphans' homes located at Salem and Portland have each been remembered in the appropriation bills passed by the legislature during the several sessions last past. The appropriations thus made were well bestowed, and the bounty of the State could not be extended to a more deserving class than our helpless and destitute orphans. The ladies having these homes in charge have been animated by the noblest and most generous impulses, and they have expended the money which they have received from the State with economy and discretion. While they have received needed assistance from other sources, their main dependence has been upon the contributions received from the State. These institutions are not local in their character, as their beneficiaries come from all portions of the State. No tax-payer should begrudge them the pittance they receive.

STATE BOARD OF AGRICULTURE.

At the regular session of the legislature of 1885 provision was made for the organization of a State board of agriculture, and prescribing its objects and duties. Provision was made for the publication of annual reports by the board, and these reports for the past two years will be before you, and will furnish some idea of what has resulted from the creation of the board. It is gratifying to know that on every hand increased interest is being shown in these matters, which are of so material importance in the development of

the State. Local societies in the interest of stock raising and agriculture are multiplying, and upon all sides are seen encouraging evidences of increased interest in these lines of industry. Steps are being taken for the diffusion of greater knowledge and for the securing of the latest appliances. In the different States local organizations seem to be increasing in numbers and efficiency, and in this way adding to the strength and usefulness of State organizations having the same ends in view. The States in turn are sending delegates to national organizations. On the 13th of August, 1886, Hon. D. S. K. Buick, now president of our State board of agriculture, was commissioned a delegate to represent this State at the sixth annual session of the farmers' national congress, which was held in St. Paul, Minnesota, from the 25th to the 30th of August last. On the 8th of November last R. J. Rogers was commissioned as a delegate from this State to a convention held in the city of Chicago on November 16th and 17th, 1886, under the auspices of the consolidated cattle growers' association of the United States. As the pursuits of stock raising and agriculture constitute so large a proportion of the industries of the State, every movement tending to encourage and stimulate their growth tends by so much to increase the material prosperity of our people. The State board of agriculture is one of the organized agencies for the promotion of these interests, and your careful examination of the two annual reports of the board is invited.

STATE DAIRY COMMISSIONER.

By Act approved February 25, 1885, provision was made for the appointment of a State dairy commissioner, and the sum of \$5,000 was appropriated to be applied by such commissioner towards the prevention of deception in the sale of dairy products. In accordance with the authority conferred by this Act, I appointed Mr. W. W. Baker of Portland State dairy commissioner, and in the discharge of the duties of that position he has proven himself a vigilant and efficient officer. The sale of oleomargarine has been properly regulated, and many abuses practiced by numbers of dairymen have been terminated as a direct result of this law. Mr. Baker will submit a report of his work as commissioner, and will recommend some needed changes in the law, for which I ask your favorable attention.

CONTAGIOUS DISEASES.

The spread of contagious diseases among cattle in some of the western States has been so great as to occasion serious alarm among

the stock growers of this State, and authority should be conferred to enforce quarantine in such a way as to effectually prevent the spread of such diseases in this State in case the emergency should arise. In several of the States stringent laws have been passed providing for the exclusion of stock infected with contagious diseases. No such law is upon our statute books, and I submit that this is a matter of sufficient importance to call for some legislation.

BOARD OF IMMIGRATION COMMISSIONERS.

In pursuance of the authority conferred by the Act of February 18, 1885, I appointed Hon. H. B. Miller of Grant's Pass, Hon. H. W. Corbett and Charles H. Dodd of Portland, William N. Ladue of Salem and Hon. L. B. Cox of Pendleton as a board of immigration commissioners. Mr. Cox subsequently resigned and his place was supplied by the appointment of S. Rothschild of Pendleton. The work performed by this board will be understood upon examination of its reports, which will be submitted for your consideration. It has been an efficient agency during the two years last past in inducing immigration to this State. It has been active in disseminating information in reference to the State and its resources abroad, and in furnishing immigrants upon their arrival here with such local information as is necessary to give them proper ideas of the special localities best adapted to their particular wants. Any agency should be fostered which is calculated to insure the investment here of foreign capital, and the introduction among us of those who will assist in the development of the State. No State offers greater inducements to the man of capital or to the man who has the capacity and disposition to do manual labor. The undeveloped resources of our State are beyond computation, and this board has been constituted to advertise our advantages, that the whole world may see and have a just and intelligent appreciation of the great inducements we offer to both capital and labor. I refer you to the report of the board for a detailed account of their work.

The attention of the previous sessions of the legislature has been much occupied with matters relating to pilotage upon the Columbia river. At the regular session of 1885 the board of Pilot Commissioners was authorized to build a pilot schooner, and the sum of ten thousand dollars was appropriated therefor. At the special session, held in November, 1885, an additional sum of \$1,600 was appropriated, it appearing that the amount first appropriated was insufficient to complete and properly equip the schooner. The wisdom of the legislature in this matter has been fully demonstrated by the results which have followed from the building of the schooner. Ships are

no longer compelled to lay at anchor outside the bar, as the presence of the State pilot schooner has compelled the owners of private tugs to be ever on the alert, ships coming in being frequently hailed by pilots miles out at sea. There has been paid into the State treasury, in pursuance of the requirements of the Act of February 18, 1885, the sum of \$737 60, a comparatively small sum, but the advantages which have resulted to the commerce of the State from the building of the pilot schooner are very great.

THE CASCADES LOCKS.

Some action should be taken calculated to strengthen and encourage our representatives in congress in their efforts to secure the speedy completion of the Government work at the cascades of the Columbia. Every effort should be exerted to hasten this work, which has been already too long delayed. Almost the entire northwest is interested directly or indirectly in opening up the great highway of the Columbia. It will regulate the rates of transportation and check and restrain all combinations organized for the purpose of securing a monopoly of the carrying trade of the country that is tributary to this river. The reports of the Government engineers show that the expenses of completing this work and making the Columbia navigable almost from its source to the sea would be insignificant as compared with the benefit thus to be conferred upon the people inhabiting the great inland empire drained by this mighty river. In this connection the feasibility of building a ship railway in accordance with the provisions of a bill now before congress should be considered. The question as to what method should be adopted for opening up a passageway for the commerce through the present obstructions to navigation is of minor importance compared with the main question of securing free navigation. Let that method be adopted which will soonest secure the great result so long desired.

PINE CREEK WAGON ROAD.

Reference has been made to our agricultural and stock raising and fishing interests. The mining interests of the State are now beginning to attract unusual attention, and the establishment of smelting and reduction works is giving a new impetus to this branch of industry. While mining operations have been conducted in this State almost from the date of its first settlement it is only within the past few years that the best methods for reducing rebellious ores have been used, and the most economical and valuable appliances

for preventing loss and waste have been adopted. Capital and enterprise will soon demonstrate the fact that Oregon is one of the richest States in mineral wealth in the Union. The richest developments have been made in the eastern and southern borders of our State. At the last biennial session of the legislature an Act was adopted providing for an appropriation of \$15,000 to assist in building what was designated as the Pine creek wagon road. The making of this appropriation was prompted by the desire to encourage the development of valuable and extensive gold and silver mines in Union county, Oregon. The money thus appropriated has been expended so far as I can judge in strict accordance with the terms of the Act authorizing the appropriation. So much adverse criticism upon the manner of the expenditure was indulged in, however, that in July, 1886, I accepted an invitation from the commissioners to visit the road, and invited Mr. J. H. Shearer of Wasco county, a capable and experienced man, to accompany me. The route determined by the Act of appropriation was upon the line of what is known as the Griffith survey. I am not prepared to say that this was the best route, but after a personal inspection and a consideration of the difficulties of the route and after hearing the expressed judgment of Mr. Shearer, a practical man of large experience in road building, and that of other disinterested parties familiar with the work, I am of the opinion that the appropriation was not misapplied. The report of the commissioners of the road now on file in the office of the Secretary of State will show in detail the manner of the expenditure of this appropriation.

ROGUE RIVER BRIDGE.

At the last special session the sum of ten thousand dollars was appropriated to aid the commissioners of Josephine county to construct a bridge across Rogue river. This bridge has been constructed and the sum of \$259 of the appropriation has been returned to the treasury.

ARTESIAN WELL.

An Act passed at the last session of congress contained among other appropriations for public purposes the following provision: "To aid in sinking an artesian well in eastern Oregon or eastern Washington Territory, with a view to reclaim arid and waste public lands, such well to be located and money expended under the direction of the commissioner of agriculture in conjunction with the

expenditure of any appropriation made or which may be made by said State or Territory and contributions by individuals for such purpose, five thousand dollars; *provided*, that no part of the money hereby appropriated shall be used in sinking any well except the same be located on lands owned by the United States, and the one hundred and sixty acres of land on which the same may be sunk shall be reserved from sale till otherwise provided by law." In reply to an inquiry addressed to Hon. Norman J. Colman, commissioner of agriculture, he responded that he would exact no special requirement in the Act of any legislative assembly making an appropriation further than that it should not conflict with said Act of congress, but indicated that none of the fund would be assigned to any State which did not make some appropriation to aid in the proposed object.

I deem this a subject of sufficient importance to warrant the appropriation of such a sum as may be sufficient to secure the benefit of the congressional appropriation.

FISH.

The protection of the fishing industry will claim your attention. The experience of other States shows that it must be guarded with the greatest care. There is scarcely a considerable stream or body of water in the older States but what originally abounded in fish and there are few if any States, Oregon aside, that have not been compelled to re-stock their rivers with food fish. The Columbia river salmon has a market throughout the world and the supply is great, but unless some action is taken to preserve the supply and better regulate the various means employed to take out all of the fish that go up our streams it will be but a question of a few years when fish will be no longer rated among our principal exports. It is true that some legislation has already been had looking towards the preservation of our fish, but in order to render any Act effectual it will be necessary to have concurrent action upon the part of Washington Territory. I would recommend that communication be had with the legislature of that Territory with a view to harmonious action upon this subject. The need of action upon this subject is urgent if we would save the fishing industry from practical annihilation.

It appears that the practice has become common of labelling fish secured elsewhere and fish from the Columbia river of inferior quality in such a way as to give the impression to consumers that they are Columbia river fish of the first quality. This course has injured the reputation of all our fish abroad, and is an abuse that should be corrected by the most stringent laws. The label upon

every can of salmon should give not only the name of the canner, but the grade and quality of the fish and the locality whence taken. This, it is believed, would tend, in a measure at least, to correct many of the abuses which have obtained.

I am informed that there is in the appropriation bill now before congress an item appropriating \$20,000 for the establishment of a hatchery in Oregon, and I would recommend an appropriation by this State to aid in this purpose.

FISHWAY AT OREGON CITY.

In this connection reference may properly be made to the construction of the fishway at the falls of the Willamette. It was hoped that by the construction of this fishway large additional spawning ground would be furnished, and that the Willamette valley would secure a share of this product of our streams. As will appear from the report of Hon. Wallace Baldwin, who was appointed to superintend the construction of the fishway, it was a work more difficult of accomplishment than was supposed. Notwithstanding the failure of the fishway to withstand the floods of last winter, it is believed that the ladder can, at small additional expense, be restored, and by erecting a proper bulwark against high water and driftwood be so secured as to make a permanent and entirely satisfactory passageway for fish from the lower river. The report of the superintendent, Mr. Baldwin, together with the plans of the work and the contract for completing the same, will be laid before you.

RAILROADS.

The problem of railway transportation is everywhere receiving marked attention. As a commercial factor, railroads in Oregon are of modern growth, but through their varied and far-reaching developments they are working a revolution in our commercial relations. In other States where they have been longer established they have been deemed proper subjects of legislative control. No one disputes their inestimable value under just and proper administration, but as they are built under Government and State charters they should be subject to their authority and be made subservient to the welfare of the people. Other States have found it necessary to create railroad commissioners, and I believe that the time is ripe for the creation of such a commission in this State. It is desirable that the people should have some tribunal for the adjustment of their grievances without being compelled to resort to the courts, and

it is believed that a railroad commission would greatly expedite the adjustment and settlement of difficulties arising between the railroad corporations and the people.

MILITIA.

It is evident that an efficient militia force is essential to every organized and well regulated government. In the absence of any provision of law requiring an enrollment and organization of the militia force of the State, we rely wholly upon volunteer companies to aid in the preservation of peace in case of disorder beyond the power of civil authorities to control. It should be borne in mind that the gentlemen composing the militia are such oftentimes at a considerable personal expense and inconvenience. It is suggested that some State aid should be given these companies, sufficient at least to enable them to properly keep up their organizations. While not often called upon for active service, the knowledge of the existence of a well organized militia becomes a restraining influence that secures obedience to the law.

ASSESSMENT AND TAXATION.

So apparent has been the necessity for the revision of our laws relative to assessment and taxation that at the late special session a law was enacted creating a tax commission and defining its duties, with instructions as to the course to be adopted in the premises by the executive. The result of the deliberations of that commission has already appeared in a printed report containing a draft of a bill that will be submitted for your consideration. The members of the commission in submitting their report confess that the bill submitted does not embrace all of the opinions or fully embody the judgment of the commission as to the most equitable or wise distribution of the burdens of taxation. In their deliberations they encountered the same difficulties which all are certain to meet who undertake to frame a law that will remedy the existing defect. The members of the commission are men of large experience and have devoted much time to the consideration of this subject. They make a full and elaborate presentation of their conclusions, and I hope you will find in the bill presented relief from the evils which have surrounded our assessment laws.

RE-APPORTIONMENT.

In my inaugural as well as in my first biennial message I urged upon the legislative assembly the duty of making a new apportion-

ment of the State. This has been required for years, not only by the express provisions of our State constitution, but as a measure of absolute justice. A consideration of the election returns for years past demonstrates the inequality of the existing apportionment. By reference to the vote of 1886 it is found that Morrow and Umatilla counties with a vote of 4,171 have the same representation in the senate that Josephine county has with a vote of but 923. Grant county which casts a vote of 1,604 has the same representation in the senate as the counties of Wasco, Crook, Klamath and Lake, which cast 4,216 votes. Polk and Benton counties, which cast a total vote of 3,782, have three Senators and six Representatives, while Umatilla and Morrow with a much larger vote have but one Senator and two Representatives. Columbia county with a vote of 737 has one Representative, while Clatsop county with 1,820 votes has but one-half of a Representative. Multnomah county casting 7,974 votes has the same representation in the senate as Benton and Polk casting 3,782 votes. Clatsop county is represented in the house at the rate of one for 3,640 votes, while Columbia county is represented at the rate of one Representative for every 737 votes cast. The Senator from Josephine county represents a constituency of 923 votes, while the Senator from Morrow and Umatilla represents a constituency of 4,171 votes. Similar inequalities will be found upon examination in other counties. Both of the leading political parties made a demand in their platforms adopted at the last State conventions held, for the passage of a new apportionment bill, and this demand is so thoroughly justified by the circumstances that no excuse will serve for a failure to perform this duty.

LABOR.

A number of States have made provision for the systematic collection and publication of statistical information affecting the interests of those of our citizens who are engaged in manual labor. Such information, collected with care and intelligence, would be valuable as a guide to legislation upon matters connected with the relations of labor and capital. The experience of other States has demonstrated the utility of bureaus of labor and industrial statistics, and the labor interests of this State have attained such proportions as to justify the creation of such a bureau.

THE NEW CODE.

By Act of the legislative assembly, adopted at its last biennial session, provision was made for a recodification of the laws of the

State. Hon. W. Lair Hill was named for this work, and the Secretary of State was authorized to purchase for the State 1000 copies of this code when completed. I have no information as to when delivery of this code will be made.

CONSTITUTIONAL AMENDMENTS.

In my message submitted at your last biennial session attention was called to the necessity of a number of amendments to the constitution. During that session resolutions were adopted providing for the submission of amendments to a vote of the people—one providing for the prohibition of the manufacture, sale, etc., of intoxicating liquors, and the other for the fixing of salaries of certain named State officers by the legislative assembly.

At the special session of November, 1885, another resolution was passed looking to the adoption of an amendment to the constitution requiring that general elections in this State shall be held on the Tuesday next after the first Monday in November, biennially. All of these resolution will be before you for your consideration during the present session.

INTERNAL IMPROVEMENT FUND.

The Act of the legislative assembly of October 21, 1870, provided for the appropriation of \$200,000 to be used in the construction of "a canal and locks" at the falls of the Willamette. This amount, with accruing interest, was to come from the five per centum granted the State of the net proceeds of the sales of the public lands, and from the proceeds of the sales of the 500,000 acres granted to the State for the purpose of internal improvements, principally, of course, from the latter. The framers of our constitution had made provision for having the funds thus arising transferred to the common school fund, subject to the assent of congress. Assent to this provision was not given by congress until February 9, 1871, several months subsequent to the passage of said Act of our legislative assembly. The indebtedness created for building the canal and locks has been paid in full, and there yet remains in the fund rising from the sale of lands in the 500,000 acres grant the sum of \$122,365 12. This amount has not yet been turned into the common school fund, the State Treasurer considering that there is no present authority of law for so doing. Legislative action is probably necessary to determine the proper status of this fund, and your attention is respectfully called to the same.

MEMORIAL.

Since your last biennial session, an unusual number of the eminent men of our country have passed away, a large portion of them dying, not in their old age, but in the prime of life and apparently in the midst of a career of usefulness. Their names are so familiar as to require no mention to recall the character of their services. As each successive one has been borne away to the grave, he has been followed by the benisons of the people, irrespective of partisan affiliations, and the just tribute due to distinguished service has been freely accorded. Two distinguished citizens of our own State have but recently been numbered with the dead. Both of them were among the early pioneers, who assisted in laying the foundation of our political fabric. Both were gifted with self-reliance and animated by earnest and patriotic purpose, and both faced with courage the responsibilities of life as they found them, and in dying have left behind them a record of patriotic service to their adopted State and to their country, which entitles them to our affectionate remembrance. Hon. James W. Nesmith and Hon. Addison C. Gibbs were among the most deserving of the early pioneers of our State. The most fruitful period of their career was during the dark days of our civil war. At that peculiarly trying time each was weighted with a service of great responsibility. Nesmith, as a senator in the congress of the United States, gave to the cause of the Union his earnest and intelligent support, and so acquitted himself in his high station as to secure the fullest confidence of the President and the people and earn a national fame. Gibbs, as the Governor of the State, operating in a sphere equally exalted, was animated by the same high purposes, and discharged the duties of his responsible position with courage and wisdom and in a manner becoming a patriotic executive. They have left behind them a record worthy of emulation, and will receive grateful recognition from the people of the State.

LEGISLATION.

You meet here to-day as the chosen representatives of the people, assembled to make their laws. The volume and importance of your duties increase with each biennial session, and the necessary additional labor involved in the consideration of matters brought before you will call for the most patient industry and faithful application. In determining your responsibility in this work it is well to consider that there is greater danger of too much than of too little legislation. Certainty and stability in our statutes are of the utmost

importance. Hasty work and frequent changes are to be deplored. A law well established should remain untouched, unless the demand for amendment or repeal is urgent and of vital importance. In the introduction of new legislation every point should be well considered and acted upon with deliberation. Grave matters of legislation should not be delayed until the closing days of the session and then forced through with such haste as to preclude the possibility of proper consideration. The experience of this body in the past has been such as to impress upon you the importance of this suggestion without further elaboration. As the constitution virtually limits your session to a period of forty days, it has been customary in the past to crowd much important legislation through under suspension of the rules. This results in much crude legislation, especially as the executive is allowed but five days to consider bills placed in his hands during the session of the legislative assembly, unless by final adjournment of the assembly an additional five days may be allowed. Practically, the executive is called upon to consider and pass upon at least two-thirds of the legislation of each assembly within the five days immediately succeeding its adjournment. Less time than the supreme court would probably consume in considering the constitutionality of a single important act is allowed the executive for passing upon the legality and propriety of two-thirds of the work of an entire session of the assembly. While, under the requirements of our present constitution, it is impossible to more than partially remedy this evil, it is respectfully submitted that diligence upon your part in the earlier hours of the session would prevent the confusion so often incident to its closing hours, would secure better legislation and would greatly lighten the burden of the executive.

CONCLUSION.

At the conclusion of this my official term I desire to express my appreciation of the cheerful co-operation and assistance received from the heads of the different branches of the State service and their assistants. In the performance of all of the duties devolving upon them they have, as I believe, been animated with a full sense of the responsibilities involved, and have met them in such a way as to merit the approval of the people.

Upon taking the oath and assuming the duties of the office of chief executive of the State, I promised "faithful endeavor to promote the prosperity of the State and the happiness of her people." The record has been made, and it will determine whether the obligation thus taken has been fulfilled. Called from the scenes of a

purely business life, and without experience in the administration of the affairs of State, the varied and complex nature of the numerous duties incident to this office have brought many embarrassments not experienced by my predecessors, who had the advantage of antecedent training and acquaintance with public affairs. Whatever success may have attended my efforts is largely due to the co-operation of the legislative assembly and my official associates, and the generous forbearance of the people. For the confidence which has been reposed in me, and for the assistance and forbearance extended, I desire to express my grateful acknowledgments, and I bespeak for him who has been chosen as my successor the same generous co-operation and support. Trusting that the work of the session upon which you are about to enter may be such as to rebound to your credit and to the prosperity of the State, and invoking for you in your labors the blessing and guidance of the Divine Ruler, I take my leave of the duties and responsibilities of the executive office.

Z. F. MOODY.

INAUGURAL ADDRESS
OF
GOVERNOR SYLVESTER PENNOYER
TO THE
Legislative Assembly
OF THE
STATE OF OREGON.

FOURTEENTH REGULAR SESSION—1887.



SALEM, OREGON:
FRANK C. BAKER, STATE PRINTER.
1887.

INAUGURAL ADDRESS.

Gentlemen of the Legislative Assembly:

Having now taken the oath of office as Chief Executive Magistrate of Oregon, I cannot but feel the greatest distrust of my own abilities towards a proper and faithful discharge of its high and responsible duties. We are at the very threshold of an era in the history of our government which will call for and imperatively demand the highest order of statesmanship, the most deep-seated patriotism, and the profoundest devotion to our constitutional form of government. While Providence is still vouchsafing to us fitting seed-times and abundant harvests, and while we are blessed with a most salubrious climate and fruitful soil, yet there is abroad within our own State and all over the land a feeling of discontent, not by any means confined to the over-crowded population of our large cities, but pervading the great masses of the working classes of the country. The farmers and the day laborers toil early and late, barely receiving enough remuneration for the absolute necessities of life, and all trades and industries not favored by especial legislation are languishing, while, on the other hand, wealth continues to accumulate more rapidly than ever before in the coffers of the favored moneyed classes. The accumulation within the last three decades of great wealth in the hands of the few, the unprecedented growth and arrogant assumption of overshadowing monopolies and the bestowment of the great bulk of the burdens of government upon the laboring and producing classes, is charged, and with great measure of truth, to a long-continued and persistent series of vicious class legislation on the part of the Federal Government. Added to this, is the further fact that while our population is very rapidly increasing, and while a large stream of immigration is still pouring upon us, this country has not in the future any new and fertile fields upon which to pour its overcrowded peoples.

Now, population will become denser and new issues of great moment and new questions of policy will devolve upon those who have

control of government. Feeling, then, the great responsibility which the march of events has placed upon those entrusted with government at this period, I approach the discharge of the duties assigned me with feelings of awe, but with the fervent hope that the God of our fathers, whose guiding hand has been plainly witnessed in the past history of our country, may still lead it in the ways of justice, peace and prosperity, for long ages yet to come. The retiring Executive, who has graced the office during his term with both dignity and ability, has just now given you the required information concerning the condition of the State, and it now devolves upon me to recommend such measures as by me are deemed expedient. In doing this I shall strictly confine myself to the recommendation only of such practical legislation as shall in my judgment be in strict accordance with the Constitution we all have sworn to support, and as shall be conducive to the best interests of the State and the people.

RIVER IMPROVEMENTS.

From the very first settlement of Oregon until now, the great river upon the northern boundary of the State, which should be open to unrestricted competition, has been and is yet under the control of a private corporation. The works begun by the General Government, at the Cascades, about a decade ago, have been delayed, and even now there is no knowledge as to when they will be completed. The Federal Government, which has control of commerce, and whose duty it is to finish these works in the most expeditious manner, is acting the niggard in regard to them. While it has been most munificent to private corporations, giving to the Northern Pacific Railroad Company enough land with which it could build and equip its entire road and have thirty millions of dollars left, it doles out with stingy hand a few thousands of dollars for works of needed public improvement, imperatively demanded by the pressing necessities of the people. To procure the speedy completion of these necessary works of public improvement the hands of our Representatives in Congress should be stayed in order that they can secure from Congress, which has been so liberal to private corporations, some measure of that liberality for the benefit of the whole people. During the late canvass I suggested that in order to expedite the opening of the Columbia river the State should build a portage road from the Dalles to Celilo. The position I then assumed was taken upon the understanding that no other work between those points would ever be undertaken by the General Government but the building of locks

and canal; that such government would not undertake the building of a ship railroad, and that such a railroad would be unfeasible. With this understanding, and with our experience as to the slowness with which the locks at the Cascades have progressed, I suggested the interference of the State. But since that time I have learned that not only have the government engineers advocated the building of a ship railroad at the upper portage, but that Congress is in a mood to undertake such an enterprise; that such a work is feasible; that it could be completed in about two years, and that its cost would not exceed one and one-third millions of dollars. With these facts before me, with the knowledge of the further fact that it is the duty of the Federal Government, instead of the State, to do this work of public improvement, I am forced to the conclusion that it would be the best policy on the part of the State to use its utmost exertions towards co-operating with our representatives in Congress for the procurement of the necessary aid from the General Government. The session of Congress now being held is the short session, in which it would be almost impossible to secure such appropriation. But I have the assurance of Senator Mitchell that he will during this session procure the necessary governmental survey for such a road, so that at the first session of the next Congress such a measure can be introduced with some show of success. In order to show Congress how much we are interested in this matter it might be advisable that a special envoy of the State, charged with but the one specific duty of appearing in behalf of the State before the proper committee for the purpose of securing such appropriation, should be appointed. The State should put forth its best exertions towards the securing of such aid and towards securing the whole amount in one appropriation. But while the State is putting forth every effort to stimulate the Federal government to do its bounden duty towards the undertaking and speedy completion of proper facilities for overcoming the obstructions at the upper portage of the Columbia, it would at the same time be a most judicious step, in view of the uncertainty of procuring favorable Federal legislation where the people instead of corporations are concerned, for it to prepare itself to build a portage railroad between the Dalles and Celilo in case Congress should turn a deaf ear to our petition or adopt a policy which would postpone its completion for an indefinite period. A 1 mill tax for the next two years would raise a sufficient sum, which could be on hand at the next session of the Legislature, with which to commence the building of such railroad by the State if then deemed necessary. If then it was not imperative on the State to proceed with this work the fund could be covered into the Treasury to the common school fund or to be used for the completion of the

Capitol. It is of more importance to the State to have the Columbia river opened to free navigation than it is to have a dome upon the Capitol. This measure of public necessity I would suggest, and it is worthy of your hearty endorsement.

FREIGHT REGULATIONS.

A law was passed by the last Legislature fixing the maximum rates of fare over railroads within the State, but establishing no maximum rates of freight. A law of this kind is absolutely needed. The people of Oregon and of the eastern portion of our State especially are subject to a most oppressive tariff rate of transportation on the products of the soil, so burdensome as to deprive them of the fair result of their hard, persistent and unremitting labor. It is the undoubted right and the imperative duty of the State to interpose its protecting care to that class of our fellow citizens who constitute the mainstay and support of the commonwealth. Under the law as it now exists rates of freight established by the railroads have to be posted publicly every six months. It would be proper that the rates established on the first of this year be taken into consideration by the Legislature, and that the rates on the main products of the country be fixed at a figure not exceeding the rates charged on railroads in the Atlantic States where there is healthy competition, while establishing reasonable rates on all other articles on the schedule. This is a feasible suggestion, but should the Legislature devise a better and more effective scheme, I would most cheerfully give my assent thereto.

SWAMP LANDS.

The gift by the General Government of March 12th, 1860, to the State of Oregon of all the swamp and overflowed land within its limits was a Greek gift. The result of that gift has been, that some of the fairest and most productive portions of our State, susceptible of supporting a large population, have been monopolized by a few individuals; immigrants that would have helped build up our free institutions, have been turned away; and a few cattle barons claim the soil. A prompt and decisive step should now be taken by the State. It would be much better for the State if it was forced to accept the alternative that every single acre of the swamp land grant, not now gone beyond its control, should be turned back at once to the Federal Government, to be taken up by settlers under the homestead and pre-emption acts than that it should pass into the hands of a few large land owners. A thrifty enterprising yeomanry is a richer en-

dowment to the State than a few thousand dollars in the treasury, as the price of turning large areas of our most valuable lands over into the possession of a few large alien stock raisers. But the State should secure all of its swamp lands to which it is entitled and parcel them out in small quantities to actual settlers.

It would be proper therefore that the title to all the lands claimed prior to the passage of the law approved October 17th, 1878, in regard to which a strict compliance with the act of October 26th, 1870, had not been made, and upon which the twenty per centum had not been paid prior to the time that the law of 1878 took effect, and all lands subsequent to the passage of said law that are claimed contrary to the provisions of that law limiting the amount to be purchased by one individual to 320 acres, be declared to be in the State and not in any individual who has filed thereon without any authority of law and that all certificates of such filings subsequent to the time at which the law of 1878 took effect, should be cancelled and declared to be of no force or effect whatever. The State then should provide a proper officer empowered to act with the agent of the General Government in determining what lands are swamp and overflowed lands, in order that the vexed matter may be speedily settled, the State secured of its rightful gift, and its lands secured, as now is provided by law, to actual settlers in quantities not exceeding 320 acres.

WAGON ROAD GRANTS.

From the report of the investigating committee made at the special session of the last Legislature, in relation to the several wagon road grants, the belief is raised that those grants must have been secured by false affidavits and fraudulent representations made to the executive officers who accepted and certified to the construction of such roads, a great portion of which appears to have never been built. The last Legislature memorialized Congress, asking that those grants not already patented should, by act of Congress, be declared abolished, vacated, annulled and considered lapsed, and in regard to those already patented, that suits be instituted to vacate such lands, except those acquired in good faith. Instead of complying with the expressed wish of the Legislative Assembly to declare by act of Congress the lands not already patented annulled and considered lapsed, and to institute suits in regard to those already patented, Senator Dolph introduced a bill providing for the determination of all the matters pertaining to such grants, by suits in the Federal Courts. The question, therefore, comes before this Legislature as to whether the action of the last Legislature shall be sustained and our

delegation in Congress instructed to carry out the will of the previous Legislature, or whether it will acquiesce in the plan of settlement proposed by the aforesaid bill. In either event, provision should be made by the Legislature, in case any suits are instituted by which the State could be represented in such suits for the protection of its interests. As this State has no Attorney-General suitable provision should be made by the Legislature for such contingency.

RIVER AND HARBOR OBSTRUCTIONS.

There is no State of the Union that possesses nobler tide-water navigation than our own. For more than a hundred miles, large sea-going vessels can float upon tide-water rivers. These rivers are the pride of the State. They are the great natural thoroughfares of commerce made by the Almighty, for the benefit of all mankind, and the Legislature should take good care that they should not be impaired in any degree by other thoroughfares of commerce, builded by man mainly for the enrichment of private corporations. It would be eminently proper to pass a general law, preventing the obstruction of our tide-water rivers, in any manner, by bridging or otherwise, between ports of entry and the open sea. There may be instances where a railroad corporation, by locating itself just below a large city, might ask the privilege of bridging the river so as to leave the bulk of its own wharves below the bridge and the bulk of the wharves of the city above the bridge. To grant this privilege would be to give to that company the means of enhancing the value of its wharves at the expense of the wharves of the city. This would be a species of class legislation, which ought never to receive legislative sanction. For the last third of a century, corporations have come before our State and Federal Legislatures and have generally received what they desired, regardless of individual rights. It is high time that a cry of halt was made. It is high time that a change of policy should be had and that no longer should private rights be ruthlessly sacrificed at the shrine of corporate greed.

This is all I had purposed saying upon this topic but a recent event requires further attention. Senator Dolph on the second day of the present session of Congress, introduced in the Senate of the United States "a bill to authorize the construction of a bridge across the Willamette river at Portland, Oregon." This bill authorizes the Willamette River Bridge Company, its successors and assigns to build a bridge "at a point between the cities of Portland and East Portland, to be selected and determined by the said Bridge Company or the Company constructing said bridge," and it requires a draw in such bridge of only about one hundred and twenty-one feet

in the clear. Within two weeks after the introduction of such bill and without knowing whether it would become a law or not the War Department took steps to comply with such bill. The remarkable celerity of Senators and of the War Department in measures when railroad corporations are concerned is in most striking contrast to their painful slowness in pushing works of public improvement. The people of Oregon can justly demand an explanation at the hands of our senior Senator in regard to this measure. It is proposed to build this bridge at the lower end of the city of Portland, and with a draw in the clear of only one hundred and twenty-one feet. That Senator is aware of the fact that Government engineers have reported that a bridge built much further up stream should have a draw of not less than two hundred feet; that upon a judicial investigation forty-two persons, mostly navigators and pilots affirmed the same thing and that it was judiciously determined (7 Sawyer 127) that a "bridge, whatever the width of the draw, will be an obstruction, if erected in the midst of this (Portland) harbor."

With these grave facts before our Senator, he has introduced the foregoing bill, and is pushing it with vigor and swiftness. But his zeal in furthering the wishes of railroad corporations has outrun his knowledge of law. He proposes that Congress shall authorize the construction of a bridge across the Willamette river. Congress can give consent to, but it cannot authorize the construction of such a bridge. "The National Government possesses no powers but such as have been delegated to it. The States have all but such as they have surrendered. The power to authorize the building of bridges is not to be found in the Federal Constitution. It has not been taken from the States. It must reside somewhere. They had it before the Constitution was adopted, and they have it still." (3 Wallace, 713.) While, therefore, Congress cannot authorize the building of a bridge, this measure serves to show that railroad corporations will resort to the extremest measures for the furtherance of their selfish greed, regardless of either public interests or of private rights. While the State Legislature should cheerfully grant them the right to bridge the Willamette where it would be no material obstruction to commerce, it should, by the passage of a general law, as has been suggested, prevent them from obstructing commerce between a port of entry and the ocean. The people of the whole State are all equally interested in preventing the destruction of private rights by corporate power.

ASSESSMENT AND TAXATION.

There is no one matter to which your attention will be called during the present session of any greater importance than the matter of assessment and taxation. The utter inefficiency of our present system was so marked that the last Legislature appointed a commission to revise the laws relating thereto. That commission has done the State great service by procuring and presenting data of great interest, and of suggesting a law in many respects very much superior to the one now in force. But with all deference to the very able gentlemen who constituted the majority of that Board, I doubt not that the views of this Legislature upon this question will coincide exactly with the views of the minority, and for the reasons he has so tersely and ably set forth. Of course it is impossible to attain perfection in a tax law, but that can be nearest attained by taxing all property within the State, real and personal, at its full value, and allowing no deductions whatever. That feature of the Vermont tax law should be added which requires that each person shall give, under oath, a full statement of his property, under the penalty of having his assessment made, as nearly as it can be, by the assessor, and then doubled. I would impress upon you that this feature of a tax law should not be by any means omitted. Our present law requires the property owner to make a statement under oath, but as there is no penalty for non-compliance, such provision is a dead letter. There could then be no evasion, under such compulsion, on the part of any one, from bearing his just proportion of taxation, and as the volume of the taxable property would be largely increased under such a law, the rate would be correspondingly decreased. The honest taxpayer's burden by this plan would be very materially diminished, as the dishonest one could no longer evade the law. Provision should also be made for the taxation of foreign corporations doing large business in this State without much of either real or personal property within the State, and provision should also be made for the taxing of the stock of alien owners pastured during certain portions of the year within State limits, which have heretofore escaped taxation.

LEGISLATIVE APPORTIONMENT.

A new apportionment of the number of Senators and Representatives for the Legislative Assembly is a duty which must be fulfilled at this session of the Legislature. Not only is it demanded by a spirit of fairness and justice, but it is expressly demanded by the Constitution. This should be done in an impartial manner.

PILOTAGE.

One of the most beneficial expenditures that was ever made by the Legislature, was that for the building of a pilot schooner. The result of that action on the part of the State has been that the price of towage on the Columbia river bar is now not one-half what it was one year ago. This Legislature should make the appropriations necessary for keeping such schooner in first-class condition, and should be most careful that the Pilot Commissioners selected by it should not be under the control of any monopoly that may be interested in driving the Oregon pilots from the river. The Oregon pilots should be sustained in the field.

THE SALMON INDUSTRY.

During the last season, the law of Oregon relating to the time in which salmon should be caught and packed, on the Columbia river, has been openly violated by nearly all of the large canning establishments on the river. It has been suggested that a change in the law should be made, and that a Fish Commissioner should be appointed. Neither one is needed. The law is good enough and effective enough as it is. All that is needed is its strict enforcement. If, during my term of office, such a general and open attempt is made to violate the law, I shall consider it my imperative duty to bring, if possible, all offenders to punishment. The law should be enforced against rich corporations as well as against poor individuals. Laws should also be passed preventing the catching of fish on the Oregon shore of the Columbia river by either seines, fish traps or fish wheels. As about forty thousand dollars are paid in duties on articles used in salmon fishing, the Federal Government should be petitioned to establish salmon hatcheries.

CONVICT LABOR.

The employment of convict labor in competition to free labor is a grievance which should be remedied. In this State, however, this labor is under contract that has six years yet to run. At the expiration of that time the State should devise the means, if possible, whereby the labor of our prison convicts may not be brought any longer into competition with free labor.

LAWS REGULATING MONOPOLIES:

A law should be passed fixing the maximum rates to be charged by all telegraph companies within the State; the maximum rates to be charged by tug boats on the bar in regard to all vessels for Oregon ports, with restrictions as to discrimination of such vessels, and also the passage of a general law, giving to the legislative bodies of all incorporated cities the right to fix the charges of all gas, water, electric light and telephone companies. But this latter law should define the manner in which such charges should be fixed, so that the city Legislature should have neither the right to deprive the various corporations of a just compensation, or sanction an extortionate charge upon the public. The law should prescribe that such legislative bodies should have the power to ascertain the exact amount of capital invested and then be compelled to fix the rates so as to afford a compensation amounting to a certain per cent. on the capital invested, and a fair remuneration for necessary expenditures.

RATE OF INTEREST.

The merely casual observer cannot fail to notice that the most prosperous class of community is the money-lending class. The profit on money loaned out at the present legal rate of interest is much greater than is the profit on money invested in farming and other ordinary pursuits. And, as the law should allow no favored classes, it would be proper that the legal rate of interest on money be fixed so that the money-lenders' profit may not be so much greater than the profit of men in other avocations. The law should endeavor to do something like equal justice to all classes. Money is clothed by law with an attribute which no other species of property possesses—that of being a legal tender for debts—and being thus favored by law, it is but just that its profits should be controlled by law. The legal rate of interest should therefore be fixed at not over 7 per cent. per annum, allowing contracts, however, at 9 per cent., but forbidding any stipulation in any transaction by which the borrower would be compelled to pay over \$10 as attorney fees in case of a forced collection.

CONSTITUTIONAL AMENDMENTS.

The last Legislature proposed three amendments to the Constitution, one relating to the salaries of State officers, one relating to prohibition, and one changing the time of our State elections from June to November. Action upon those proposed amendments is required of you at this session, and if they are agreed to by you, it will be your duty to submit the same to the voters of the State for final action. The suggestion has been made that a convention should be called to revise the Constitution. But it is not at all necessary that a convention should be called. We have a safe conservative Constitution now, and the necessary changes, if any, can be made by the slower and better way—that of legislative suggestion.

ABOLISHMENT OF OFFICES.

Inasmuch as the Federal Government has passed an oleomargarine law, the office of Dairy Inspector, created by the last Legislature, can be abolished. The vigilance of the United States revenue officers will doubtless be sufficient to prevent the fraudulent sale of oleomargarine as butter, thus making it unnecessary for the State to be at any expense in that regard. It is also an unnecessary expense to any longer retain a paid agent at Washington to act in reference to swamp land matters. The State Board can probably as well manage its own affairs by correspondence with the departments at Washington. It would also be proper to abolish the Board of Immigration. If the early pioneers of forty and fifty years ago could find Oregon without a trail through the forests or over the deserts, immigrants that desire to come here now can undoubtedly find their way. Again, our people are becoming too nomadic already, without artificial aid. And then, too, gentlemen of the Legislature, it is not in good conscience for us to invite immigrants here where, unless some change be made, they may be compelled to compete with coolie slaves for the support of themselves, their wives and their children. The best immigration scheme that can possibly be devised by this Legislature is to provide for the removal of the curse of Chinese labor, if possible, and then the hardy immigrants of our own race will flock here without invitation and help build up our free institutions and enlarge the glories of our State.

FREE SCHOOLS.

Free schools are the chief bulwarks of free institutions. Our State stands in the very front rank in regard to educational facilities afforded to the young, and yet there is one grave defect. The apportionment of the school fund to the several districts in proportion to the number of children residing therein leaves the sparsely settled portions of our state without the means of maintaining schools for the same number of months that schools are maintained where population is more dense. This is unjust. The farmer on the frontier pays the same tax on his property that the resident in the city pays on his property, and it is but just that his children should enjoy something like equal privileges with the children in the cities. Some provision should be made by which at least six months' schooling could be afforded to every district of reasonable size in the State. Instead of appropriating large and increasing sums of money for universities and other high educational schools, the State should rather pay attention to the procurement of a good common school education to all the children of the State. That is its chief security.

PAY OF COUNTY OFFICERS.

It would be a practical reform if the pay of all county officers should be definitely fixed by law in the various counties according to the services rendered. A part of the county officers have fixed salaries for their services, and there is no good reason why all should not, and quite good reasons why all should be so paid. As the law is now, the Sheriffs and Clerks receive the fees of their respective offices as pay, and the County Treasurer receives a percentage of the sums collected. These emoluments are uncertain, variable, and sometimes exorbitantly high. Within the last four years the office of Sheriff in Multomah county has been worth \$20,000 per annum. This enormously high stipend is not only an unnecessary burden on the taxpayers, but it is a prolific incentive for bribery and corruption in the efforts to secure such a bonanza position. The pay of all county officers should be definitely fixed by law, and the Sheriffs and Clerks should be compelled to account for and pay over the fees received by them into the county treasury. This is a very important matter, and the Legislature should make the necessary changes in the law.

THE REGISTRY LAW.

In obedience to the expressed will of every voter of the State, both parties having declared for it, the Legislature at its last regular session passed a general election law, among the provisions of which was one requiring the registration of voters preceding each election. At the special session following, some imperfections in the law were remedied and another act was passed, definitely describing the manner in which such registration should be effected. Under, and in pursuance of this law the necessary steps were taken for carrying it into effect. A few days preceding the time mentioned in the law, in which such registration should be made, the various officers appointed to carry it into effect abandoned all further compliance with its provisions in regard to registration, and as a consequence the operation of the law in that regard was suspended, in plain defiance of that Constitutional provision which declares that "the operation of the laws shall never be suspended except by the authority of the Legislative Assembly." (Art. 1, Sec. 23.) This anomalous and most extraordinary condition of affairs was the result of a suit which had been brought before the courts by a citizen of Multnomah County, in which it was demanded of the Court that an injunction should be issued against the County Commissioners of that County restraining them from auditing and allowing bills against the County incurred in the execution of the registration law. The Supreme Court commanded the issuance of the injunction prayed for, for the reason, as alleged by the Court, that that part of the statute relating to registration, duly enacted by the Legislative Assembly of Oregon, was not the law of the State, it being, in the judgment of two of the three judges of that Court, in conflict with a provision of the State Constitution. There cannot be found in the Constitution of Oregon any warrant whatever for such a proceeding. There cannot be found in that Constitution any provision by which the Judges of the several Courts of Oregon are exempted from obedience to the laws of the State. There cannot be found there any warrant by which they can suspend, by an order, the operation of a law which that Constitution expressly declares shall never be suspended but by the Legislative Assembly. By that instrument they are bound to obey and enforce the law, and are not privileged to disregard and nullify the law. In that instrument there is no provision by which the unanimous will of the people in regard to this registry law, regularly expressed in a legislative enactment, can be thwarted by any two or three men in the State. Judges cannot make or unmake laws, but, like others,

they must obey laws. But it is claimed that that provision of the statutes relating to the registration of voters was not a law, it having been held by the Court as being void because it was in conflict, as the Court deemed, with a Constitutional provision. If this claim be correct then the duly enacted statutes of the State may not all be the laws of the State. If this claim be correct the people of the State are in ignorance as to the laws to which they must render obedience until they have passed the scrutiny of the Supreme Court and received its sanction. There is no warrant whatever for any such claim in the Constitution of Oregon. Such a doctrine is the doctrine of the Courts, and not the doctrine of the Constitution. A statute of the Legislative Assembly of Oregon, duly enacted, is a law of the State until it is repealed by the Legislature. Its operation can be no more suspended by a decision of the Court than it can by an order from the Executive. There can be no mistake whatever about this proposition. The Constitution expressly declares that "every statute shall be a public law unless otherwise declared in the statute itself" (Art. 4, Sec. 27), and therefore this registration act was "a public law," declared to be such by the Constitution, notwithstanding the Supreme Court declared it to be not a law. The State government of Oregon is composed of three separate departments—the legislative, the executive and the judicial. Each is independent in its sphere, and the action of each operating within such sphere is binding upon the others. The judicial branch can no more nullify a law of the Legislature by a decision, under our State Constitution, than can the legislative branch nullify a decision of the Court by a legislative enactment, or than can the Governor set aside both the decisions of the Courts and the statutes of the Legislature by an executive order. But the Courts have advanced the theory that it is their province, in case they are of the opinion that the Legislature has erred in regard to a Constitutional question, to nullify the Legislative act by a judicial decision. This doctrine has no foundation whatever in the Constitution, it has no foundation in the common law, it has no foundation in reason (for the common law is "the perfection of reason"), and it has no other foundation than the *dictum* of the Courts themselves. If the Courts possess the power to nullify a law of the Legislature by a judicial order, then the Legislative and the judicial branches are not co-ordinate branches—but the legislative branch is subordinate to the judicial. Such a doctrine "were to set the judicial power above that of the legislative, which would be subversive of all government." (1 Blackstone, 91.) If the Courts, as claimed by them, possess the power to declare an act of the Legislature void, then no enactment of the

Legislature can be a law without the ultimate consent of the Courts. If this doctrine be correct, if we are finally to look to the Courts and not to the Legislature for the law, the Legislature necessarily becomes an useless appendage of government. We might as well at once dispense with it and let the Courts at first declare the law. It would be productive of much less confusion. And if there be no Legislature there need be no Executive. The officers of the Court could enforce the law of the Court. Then we would have in name what we now have in truth, if this doctrine of the Courts be the correct doctrine, not a constitutional government of three separate and co-ordinate branches, but that very worst form of tyranny—the government of a judicial obligarchy. The Courts have assumed that the question as to whether a statute was constitutional or not is a judicial question. This is very clearly a mistake. It is a legislative question. The members of the Legislature, as well as the Judges of the Courts, before entering upon their duties take an oath to support the Constitution of the State. Hence, in obedience to this oath, whenever a bill is presented, the question is at once raised in the Legislature as to whether it is constitutional or not. If it is a necessary measure, and if in the judgment of the Legislature it is constitutional they pass it and it becomes a law, and their judgment in regard to its constitutionality is a final judgment (subject only to the revision of the people who make the Constitutions), and it is conclusive upon the other departments. The common law doctrine, which recognizes as a legislative prerogative the determination of the constitutionality of laws in absence of express delegation by the Constitution of such legislative power to the Courts, is the law of the land to-day, and hence the Legislature of the State like the Parliament in England is the rightful judge as to whether a law is Constitutional or not. The Courts have no appellate legislative power under the Constitution, to revise the judgment of the Legislature in this regard. And when they claim this right, it is in defiance of a rule which in regard to themselves they obey. It is a rule of law recognized by the Courts, that when a Court has jurisdiction its judgment is final and conclusive except where appeal is given by law. But in relation to the Legislature they disregard this rule. It is the function of the Legislature, because it is its duty, to pass upon the constitutionality of every measure brought before it. It must necessarily do so. It therefore has jurisdiction of this very question and inasmuch as there is no appellate legislative power given by the Constitution to the Courts, the judgment of the Legislature is final, and according to their own rule, is conclusive upon them. The question as to whether a law is constitutional or not is a legislative question and the decision of the

Legislature is as binding upon the Courts as it is upon the Executive or upon the people. In order to further show that under our Constitution such decision is final it is but necessary to consider that provision in regard to the passage of a law over the veto of the Executive. Let it be supposed that a bill is passed which in the judgment of the Executive is plainly and palpably in violation of the Constitution. He vetoes the bill and gives the reasons why, in his judgment it is unconstitutional and returns it to the Legislature. In the opinion of two-thirds of each house the bill is constitutional, and it is therefore passed over his veto, and thereupon the Constitution declares that "it shall become a law." Has the Executive a right to disregard this law and treat it as a nullity because in his judgment it is unconstitutional? There is no warrant for it in the Constitution. Have the Judges a right to disregard the law, and treat it as a nullity because in their judgment it is unconstitutional? There is no warrant for it in the Constitution. But suppose, as is the frequent custom, this question is brought before the Courts. They pass upon the statute, and declare, as is the increasing wont of the Courts, that it is contrary, in their judgment, to the Constitution and therefore that it is no law. In that event what is the duty of the Executive? Here is the plain mandate of the Constitution declaring that statute to be a law, and here is the decision of the courts declaring it to be no law. His duty, under his solemn oath, is plain. The mandate of the Constitution is higher than the mandate of the courts. The Constitution must be obeyed and the law must be enforced. Its operation must not be suspended but by the act of the Legislative Assembly. Nor is there any warrant in the Federal Constitution for the power assumed by the Courts to declare an enactment of the Legislative Assembly void. The second Section of Article III of the Federal Constitution, as presented to the Convention which framed it, by the committee of five declared that "the judicial power shall extend to all cases arising under the laws of the United States." When the motion was made to add the words "the Constitution," objection was raised because it was thought "it was going too far to extend the jurisdiction of the Courts generally to cases arising under the Constitution and that it ought to be limited to cases of a judiciary nature." The motion was agreed to *nem con*, "it being generally supposed that the jurisdiction given was constructively limited to cases of a judiciary nature" (5 Elliott, 483). The leading men of that Convention were common law lawyers, and when it was generally supposed that "the jurisdiction given was constructively limited to cases of a judiciary nature," it is beyond all question that the jurisdiction referred to was the

“jurisdiction” of the common law and was not broad enough to authorize the Courts to declare an act of the Legislature void, for at that time no Court where the common law prevailed, or no Court of any civilized country in all Christendom ever had deemed its jurisdiction ample enough to amend or nullify a law of the Legislature by a judicial decision. This doctrine, founded alone upon the decisions of Courts, which dates back only a hundred years, which is, as we have seen, without warrant either in the State or Federal Constitution, or in the common law, or in reason, is based by the Courts upon the supposed necessity in a Government limited by a written Constitution, of the lodgment somewhere of the power to correct and restrain any infractions by the Legislature, of the fundamental law of the land, and that necessarily it must inhere in the judiciary. But there cannot be discovered either in the Federal or State Constitution any inkling of the theory that two of the three separate departments of Government are fallible and that the third is infallible and should therefore dominate over the other two. The Judges like Legislators are men, and as such are fallible. They are as liable to violate the Constitution as Legislators. In fact, in regard to this very act, decided by the Court to be unconstitutional, the best standard authorities sustain the Legislature and not the Courts. (Cooley on Constitutional Limitations, 601). And the history of all State and Federal Legislation for the last hundred years disclose no such bold and palpable infraction of the Constitution as has been recently exhibited by the Supreme Court of the United States in a remarkable decision, in which by a course of reasoning that would be ludicrous if the drift of it was not alarming, it ruthlessly broke down that Constitutional barrier which heretofore has prevented a State from being sued. (114 U. S., 269). There is a corrective for any disregard of the fundamental law by the Legislature, but it is with the people and not with either of the other co-ordinate branches of Government. If any Legislators violate the Constitution, the people, which are sovereign, will retire them to private life and remedy the wrong which has been committed, by repealing the unconstitutional law. The people who make Constitutions are its rightful interpreters. This is the true theory of our Government. It is far superior to the theory of the Courts that they can correct legislation and that their interpretation is final and conclusive. This Court theory not only shackles legislative action but it is a throttle upon the popular will. By it the people can never give expression to their sovereign will as to a Constitutional question involved in a particular law. The Courts claim that they have the final decision, instead of the sovereign whose servants they are. This claim is an usurpation of power. It is tyranny. Gentlemen

of the Legislative Assembly of Oregon: You are entrusted by the people of this State, under the Constitution, with the sole power of making, altering and repealing the laws of this Commonwealth. You are under the solemn obligation of your oath of office to make those laws conform to the Constitution and you are under the very same obligation to retain for the people of the State, in its completest vigor and scope. this highest and most sacred prerogative of a free people, the exclusive right in its Legislative Assembly of making, altering and repealing laws. Finding, therefore, no warrant, either in the State or Federal Constitution, for the Judicial Department to nullify an enactment of the Legislature, the conclusion is irresistible that the Registration Act as passed by the Legislature of Oregon is the law of the land to-day, and that the order of the Court suspending the operation of such law was in violation of Section 23, Article I., of the Constitution, and therefore that it was void and of no effect. Such being the case, I would suggest to the Legislature that such law needs some modification. While it is absolutely necessary, in order to have a fair ballot, and in order that the constitutional provision entitling citizens "to vote at all elections authorized by law" may not be a worthless privilege, that a registration should be had in our large cities, yet such registration in country districts is not only not necessary to a fair ballot, but it is a positive hardship and an unnecessary burden. A change in the election law should be made by which registration may be had only where needed for a fair election, say in counties containing cities of five thousand inhabitants and over. You have ample warranty for such a change in the law in Section 8, Article II., of the Constitution, and it is your duty to make the necessary amendment.

THE CHINESE QUESTION.

The unanimity of the people of Oregon on the undesirability of the presence of the Chinese amongst us, was very clearly demonstrated by the fact that both political parties at the last election avowed their hostility to any further immigration of that most undesirable population within our borders, and that one of those parties pledged itself to use all lawful means for the removal of those already here. At this stage of our experience in regard to this class of pauper slave labor, no argument need be used to stimulate the Legislative Assembly of Oregon to exhaust every constitutional means by which to rid the State from the corrupting and paralyzing influence of their presence. A third of a century's experience tells one unvarying story. Irrevocably devoted to their paganish idolatry, superstition and

practices, they are entirely unassimilative with our people, blind to the progressive spirit of our race, unappreciative of our institutions and deaf to the demands and influences of Christianity, and their presence amongst us is only corruption of society, debasing to morals and degrading to labor. Can the State do anything toward ridding itself of these undesirable aliens? The States when they formed the Federal Government were absolute sovereignties and they delegated to that government certain enumerated powers, reserving to themselves the whole residuary attributes of sovereignty not thus expressly delegated. One of the powers and attributes of sovereignty not so delegated but retained by the States, was that power which appertains to every sovereignty, of expelling from its borders any alien or class of aliens whose presence it might deem undesirable, with a limitation only in regard to those susceptible of naturalization, the States having delegated to the Federal Government the right to pass uniform rules in regard thereto. It therefore follows that if the Federal Government should refuse to extend to a particular class of aliens the right of naturalization it would have no control over that class within State limits, as the right to pass naturalization laws is the only power in regard to aliens delegated by the States to the Federal Government, all other powers in regard thereto having been retained by the States. This position is clear and undeniable. It is also sustained by the decision of the highest tribunal in the land—the Supreme Court of the United States. In the case of *New York vs. Miln*, 11 Peters, 102, the Court says: “A State has the same undeniable and unlimited jurisdiction over all persons and things within its territorial limits as any foreign nation where that jurisdiction is not surrendered or restrained by the Constitution of the United States. * * * All those powers which relate to mere municipal legislation, or what may perhaps more properly be called internal police, are not thus surrendered or restrained, and consequently in relation thereto the authority of a State is complete, unqualified and exclusive. * * * We think it is as competent and necessary for a State to provide precautionary measures against the moral pestilence of paupers, vagabonds and possibly convicts as it is to provide against the physical pestilence which may arise from unsound and infectious articles imported.” And this sound doctrine, promulgated by the Supreme Court, has since that time never been controverted by it. This opinion, which sustained the constitutionality of a law of New York throwing checks and limitations over the immigration of aliens, was the opinion of the whole Court, with the exception of Justice Story, who dissented on the ground that the law conflicted with the power delegated to Congress over commerce. Subsequently (*Passenger Cases*, 7 Howard, 283) the Supreme Court

held another and more stringent law passed by the State of New York as unconstitutional for the reason that it was in conflict with the control over commerce delegated by the States to the Federal Government. In this case the opinion of the Court as a Court was not given, but five Judges gave opinions holding the law to be unconstitutional and four holding it to be constitutional. But the position assumed by the Court in *11 Peters* remained unassailed. Justice McLean, one of the majority in the *Passenger Cases*, in his opinion clearly defined the difference between the two cases, affirming therein his previous position. He said: "When the merchandise is taken from the ship and becomes mingled with the property of the people of the State, like other property, it is subject to local laws; but until this shall take place the merchandise is an import, and is not subject to the taxing power of the State, and the same rule applies to passengers. When they leave the ship and mingle with the citizens of the State they become subject to its laws." It therefore follows that while a State can do nothing to prevent the landing of aliens within its borders, for the reason that any such measures would be an interference with commerce, the control of which was delegated to the Federal Government, and while it can do nothing to rid the State of aliens susceptible of naturalization (except "vagabonds, paupers, and possibly convicts"), for the reason that it has given to Congress the right to pass naturalization laws, and such interference might conflict with such right; yet it does have, by virtue of its reserved police power—that power of sovereignty not delegated—as absolute and unquestionable control over all aliens within its borders not subject to naturalization "as any foreign nation." And this power, in the language of the Supreme Court, "is complete, unqualified and exclusive." It may order them to depart from within its borders, or it may tax them for the privilege of staying within its territorial limit, or it may fix a license tax to be paid by any person who gives them employment. It may choose any of the means it deems best. The right existing with the State to do with them just as it chooses, the choice of the means must necessarily inhere with it. But it is urged that such measures conflict with treaty rights. There is one treaty which expressly guarantees to the State the full exercise of such measures. The first Congress of the United States, begun and held at the city of New York March 4th, 1789, for the reason that "the convention of a number of the States having at the time of their adopting the Constitution expressed a desire, in order to prevent misconstruction or abuse of its powers, that further declaratory and restrictive clauses should be added," proposed eleven amendments to the Constitution, one of which declares that "the powers not delegated to

the United States by the Constitution nor prohibited by it to the States are reserved to the States respectively, or to the people." This amendment was ratified by three-fourths of the States. It was proposed by the Federal Government and ratified by the States. It is therefore a treaty, to all intents and purposes, between the high contracting parties. Inasmuch, therefore, as the power of absolute control over aliens which inheres in every sovereignty was reserved by the States, except in relation to those susceptible of naturalization, they have the full exercise of that right guaranteed to them by this most sacred treaty with the Federal Government. Will now that Government, with a disregard for honor that would shame even a pagan potentate, prove false to its plighted treaty faith? Will it now break its treaty obligations with the States and deny them the exercise of rights it sacredly pledged itself that they should exercise? It cannot, it dare not do it.

But it is urged that a treaty exists between the United States and China which guarantees to the Chinese within the United States the right enjoyed by the citizens of the most favored nations, that therefore they have the undisputed right to remain here as they choose and not as the States may choose (thus placing the will of a Chinaman above the will of a sovereign State) for the reason that by the Constitution "all treaties made or which shall be made under the authority of the United States shall be the supreme law of the land." It is undeniable that all treaties "made under the authority of the United States" are the supreme law of the land. But it is as undeniable also that any treaty stipulation which the United States had no "authority" to make with other nations affecting rights reserved to the States by the Constitution are in regard to such stipulations void and of no binding force upon the States. If the United States by treaty stipulations with China, can force within the territorial limits of a State, a numberless horde of pagan paupers and thus, by such treaty destroy the reserved rights of a State over such immigration, it could also, equally as well, by treaty stipulation with that empire, accord to the Chinese immigrants, within the territorial limits of the State certain portion of real property, and thus destroy the right of a State to control such property, on the self-same ground that the Constitution declares that a treaty shall be "the supreme law of the land." Such a proposition is too monstrous and too absurd for any lawyer or any Court (except perhaps some minor Federal Court) in this country to entertain for one single moment. Upon this point Justice Taney in the passenger case said: "For if the people of the several States of this Union reserved to themselves the power of expelling from their borders any person or class of persons whom it might deem to be dangerous to its peace or

likely to produce a physical or moral evil among its citizens, then any treaty or law of Congress invading that right and authorizing the introduction of any person or description of persons against the consent of the State, would be an usurpation of power which this Court could neither recognize or enforce. I had supposed that this question was not now open to dispute." It is therefore undeniable that the States have reserved to themselves this inherent power of sovereignty over aliens not susceptible of naturalization, that there is no "authority" in the Federal Government to make any treaty stipulation that would conflict therewith and therefore that any such treaty stipulation would be absolutely void. The State then having full control of this matter and the people of the State being almost unanimously opposed to the presence of the Chinese here, it devolves upon the Legislative Assembly to devise the most peaceful and effective means towards procuring their removal from our State. There can be no doubt but that it is perfectly competent for the State to cause the deportation, by law, of all aliens not susceptible of naturalization. But this remedy would entail large expense, and would appear unnecessarily harsh to those who do not appreciate what a curse they are to the State. More peaceable, and yet fully as effective means, though not so speedy, can be devised, and means which are in perfect accord with a policy which the General Government has pursued for three-quarters of a century—the policy of protecting home industry against alien competition. This policy is to be highly commended when it protects labor. It has mostly been applied to the protection of rich manufacturing capitalists, which is unjust, because capital can always take care of itself, but if it can be applied only so as to protect the industry of our fellow-citizens who have no capital but the labor of their hands, it is most commendable and praiseworthy. A protective policy that will protect the laboring classes and will put the tax thus collected into the treasury of the Government instead of into the pockets of a favored few, is one which all good citizens must necessarily favor. And it is competent for the State to adopt such a policy, which will not only directly benefit the laboring man, but will indirectly benefit the people of the State at large. A license tax law can be enacted by which every individual or corporation in the State who employ or rent buildings or grounds to an unnaturalized alien shall be compelled to pay a license therefor, the proceeds of which should go to the Common School Fund. By this means our laboring fellow-citizens would be protected from the ruinous competition of alien slave labor. By this means this undesirable class of aliens would be compelled from lack of employment to leave the State of their own accord. By this means, within a very short time, and in a

peaceable and lawful manner, our State would be rid of their baneful presence, and the places they now occupy would be filled with laboring men of our own race and blood, who will help build up our free institutions and dot our hillsides and valleys with the happy homes of freemen. There is no one question before the Legislative Assembly of equal importance to this question. Let this remedy be applied, which the people demand. Let the will of the people, which is the supreme law of the land, be enacted and enforced.

A CONSTITUTIONAL MANDATE.

Your attention must be called to Sec. 8, Art. XV, of our State Constitution, which provides that "no Chinaman not a resident of the State at the time of the adoption of the Constitution, shall ever hold any real estate or mining claim, or work any mining claim therein." And your attention must be especially called to the last clause which provides that "the Legislature shall provide by law in the most effective manner for carrying out the above provision." You will observe that this is mandatory. When it declares that the Legislature shall so provide, it does not leave it optional either with your judgments or your inclinations. You have sworn to support the Constitution, and you can only do so by obeying its behests. That you have ample power to do so, and that there is nothing in the Federal Constitution which inhibits you, are both very plain propositions. And that there is urgent need for your action in this matter is beyond all question. This class of aliens are now, as they have been for the last quarter of a century, swarming over our mineral districts and purloining the rich deposits which Providence has kindly placed there for the benefit of ourselves and our children, they have shipped them by millions of dollars out of the country. Let an effectual stop be put to these proceedings, in obedience to the Constitutional mandate.

INTERFERENCE WITH STATE LAWS.

Within the last four years, in this State, a Federal Court has in one instance interfered with the collection of a county road tax (8 Sawyer, 384); in another instance with the collections of fines for the violation of a city charter (9 Sawyer, 333); in another instance with the collection of a school tax (10 Sawyer, 52); and in still another instance it nullified the provisions of the Hoult law, regulating the conduct of common carriers (25 Federal Reporter, 52). In the first and second instances it rendered the State laws nugatory by an interpretation of

them which made them void for the purposes intended by the law-makers, while in the third and fourth cases it declared the law to be a nullity, and deliberately set forth its own opinion, in opposition thereto, as the law. Section 721 of the Revised Statutes of the United States expressly provides that "the laws of the several States, except where the Constitution, treaty, or statute of the United States otherwise require or provide, shall be regarded as rules of decision, in trials at common law, in the Courts of the United States in cases where they apply." In neither of these cases did the Constitution, or statute, or treaty of the United States provide otherwise than what the law of the State provided. And yet, instead of regarding the law of this State as a rule of decision, the Federal Court, in each of the instances enumerated, refused to do so, and treated them as of no effect. Is the arbitrary opinion of an inferior Federal Court within this State a superior law to the solemn enactments of the Legislative Assembly? Can the deliberately expressed will of the people of this State, in a matter over which they have absolute control, be set aside at the arbitrary dictation of an United States District Judge. If so, our written Constitutions are a snare, the enactments of our Legislature are a fraud, and the government by the people a delusion. If so, the people of this State are not sovereign, but the Judge of the Federal Court for the district of Oregon is the sovereign. But it is not so. The will of the people rightfully expressed by the Legislature is the law of the State, and it must be respected, obeyed and enforced. There is growing up in this country a spirit of anarchy, a wanton disregard for law, a disposition for each man to be a law unto himself, that is dangerous to the perpetuity of our institutions. If we would preserve our Government, if we would have the law supreme, this spirit of anarchy must be effectually put down. Our only security as a free people is in maintaining the supremacy of the law. And the man who defies and overrides the law must be held to a strict accountability. The example of men entrusted with high office in disregarding the law of the land is most pernicious. Those whose duty it is to administer the law should be the most sensitive in regard to their respect for the law. I shall endeavor to rigidly enforce the laws of the State, and in case any further unwarranted interference is made therewith by the Federal Court, it will be the duty of the Legislature to memorialize Congress for the impeachment and removal from office of the offender.

SUITS BY FOREIGN CORPORATIONS.

The privilege that foreign corporations now have of bringing their suits in the Federal Courts, has been a great source of annoyance to many citizens of the State. A law should be passed by the Legislature forbidding foreign corporations doing business in this State without taking out a license therefor, under efficient penalties, and authorizing the Secretary of State to revoke and annul such license in case any such corporation brought any suit in the Federal Courts. Our State Courts are good enough for our own citizens, and they should be good enough for foreign corporations; and if those corporations do not desire to bring suits in our own Courts, they should be compelled to abstain from doing business within the State. Our courts, in learning, integrity and ability, are fully the peers of any Federal Courts in the land, and there is no good reason why a foreign corporation should object to bringing suits therein. In case they do, the State should object to their doing business within its limits. That it has the right to do so is unquestionable. (94 U. S., 535.)

GRANTS TO CORPORATIONS.

It is absolutely necessary that great care should be taken by the Legislature in conferring grants upon corporations. American Courts have overturned that sound common law doctrine that acts of a previous Legislature cannot bind the acts of a subsequent one, and that it is competent for a subsequent Legislature to undo the wrongs of a previous one. They hold that the most vicious of all class legislation, which confers rights and privileges upon private parties, or corporations, is in the nature of a contract, and therefore irrepealable. This doctrine is repugnant to the common law and unwarranted by the Constitution, but it is the doctrine enforced by the Courts. As the necessary result of this doctrine and the practices of corporations in procuring franchises inimical to and destructive of the rights of the people, one right and immunity after another has been filched from the people and delegated to corporations; and as a further result corporations are becoming a greater power in the land than Legislatures. The Courts have had much to say about the sacredness of vested rights which corporations can receive and have received from Legislatures, but they have been silent as to the vested right which belongs to every free people—that of having the indestructible power in their Legislative Assembly of undoing any wrong which a previous Legislature might have done. Until the sound doctrine of the common law and

of the Constitution, that Legislatures are always of equal sovereignty, is restored, it behooves you to be most careful as to any grant or franchise sought for by corporations. The Legislature should always stand as a faithful sentinel of the people's rights.

ADVISABLE LEGISLATION REGARDING REAL PROPERTY.

It is a disgrace to any civilized Government to have one law upon its statute books and a conflicting law in its Court reports. There is a statute of the State providing for the obtainment of a judgment against a non-resident by publication of summons and for the sale of real property within the State for the satisfaction of such judgment on execution following such service. It is an undisputed proposition of Constitutional law that the Legislature of a State has power to prescribe what mode of procedure shall constitute due process of law affecting real property within its limits and that such power was never delegated in any manner to the Supreme Court of the United States, yet such Court has usurped such power (95 U. S., 714), denied the efficacy of the mode of procedure fixed by the State Legislature, and laid down a rule of its own, not recognized by State law, as being necessarily essential to the obtaining of a valid judgment in such cases. It declared that there must be an attachment of the real property of a non-resident, in order to get valid judgment. This decision wrongfully deprived a large number of our citizens of their rightful property. Although such Court had not the shadow of a right to disregard State law and to make a rule of its own in defiance thereto, yet, inasmuch as it has done so, and as the change in procedure is a very trivial one, it perhaps would be advisable, in order to avoid conflict, to amend the statute by authorizing such attachment. A law should also be passed, providing that no judgment of a Federal Court should be a lien on any real property in the State unless such judgment is recorded in the county where such property is situated.

A STATE CIVIL OFFICER.

The Constitution of the State, referring to the duties of the Governor, declares that "he shall take care that the laws shall be faithfully executed." The only officers, by the laws of the State, that are under the control of the Executive, in case circumstances should require him to obey the foregoing mandate, are military. The Executive has no civil officers provided him by law for the execution of that law. This is a great oversight. It is not in accordance with

the spirit of our institutions, the temper of our people, the traditions of our ancestors, or the instincts of freemen that laws should be executed by the bayonet. Such a mode of executing the laws befits a despotism, but is a stigma to the government of a free people. Among English-speaking peoples, a government cannot long survive that has to be propped up by bayonets. The exercise of military power for the enforcement of civil laws is always productive of more harm than good. American freemen will always obey just laws, and they cannot long be compelled to obey any other. Civil laws should always be enforced by civil officers. There is, therefore, a necessity for providing a State civil officer of the peace with control of all other peace officers and of the *posse comitatus* to be under the control of the Governor for the execution of the laws when necessary, and who will receive pay only at such times as he necessarily renders service.

STATE INTEREST IN FEDERAL LEGISLATION,

Owing to the fact that our system of government is duple in its character, we cannot expect to remedy all the grievances which are the subject of popular complaint through the instrumentality of State legislation. In fact the worst abuses under which the people of this country now suffer are those caused by the vicious legislation of the Federal Government. The State Government affords protection to our lives and our property, its system of taxation is correct in theory and nearly so in practice, inasmuch as all property is subjected to taxation, and, being directly beneath the watchful eye of the people, its expenditures are kept within reasonable limits, and fraud, and speculation and favoritism, can find no safe or convenient lodgment in its administration. But the Federal Government, on the other hand, while charged with the care of neither the lives or property of the citizens of the several States, is becoming burdensomely oppressive to the people of the country. A half a century ago its existence was felt by the people of the States only by the blessings it bestowed and the honors it conferred. To-day it is mainly felt by the wrongs it inflicts and the burdens it imposes. It has granted donations of vast areas of the people's domain to private corporations and thus, instead of protecting the people of their property, it has despoiled them of their rightful heritage. Instead of making a fair and equitable taxation for its own support, it depends mainly for the collection of its revenue upon one of the most unjust and nefarious systems that could possibly be devised by the mischievous ingenuity of man; a system borrowed from the robber Moors, who, with cannon planted at Tariffe, collected forced tribute

from the commerce of the Mediterranean; a system that can be used for the enrichment of the few and the impoverishment of the many; a system provocative of the crimes of fraud, theft, bribery and perjury; a system corruptive of officials, debauching to business men and extravagantly expensive; and a system under which every tariff adjustment in Congress has degenerated into a mere disgraceful squabble for protected pelf. Each favored interest tries to filch more than any other favored interest, and every such adjustment is invariably an infamous collusion of protected pilferers for the conjoined robbery of all the unprotected industries of the country. Besides about one billion dollars paid for protection, the Federal Government collects its revenue which amounts to over three hundred million of dollars yearly, chiefly from duties on imports. These are so arranged that they bear mainly upon the laboring and producing classes. Unlike the State governments, it does not collect any of its revenue from the wealth of the country. That wealth, which by the last census amounted to the enormous sum of over forty-three billions of dollars, does not pay a farthing for the support of the Federal Government. The man worth a million of dollars pays no more for its support than the man worth a hundred dollars, provided both eat and dress equally well.

And in consequence of this non-contribution of the country's wealth for the support of the General Government it follows that the tax for such support falls with unusual severity upon the poorer classes. Such gross injustice as this—the exemption of the Nation's wealth from taxation—is a more grievous hardship than any of which our revolutionary fathers complained. It is an injustice that no other country of the civilized world is guilty of. It is an injustice that is breeding discontent. It is an injustice that must be remedied. There must be justice or there will be revolution. One of the most apparent results of Federal legislation for the last quarter of a century has been the fattening of its favorite banking, railroad and manufacturing corporations. Especial privileges have been given to banking institutions, unlimited grants of moneys and lands have been given to railroads, tariff duties have been so arranged as to fatten favorite industries, the wealth of the country has been totally exempted from bearing the burdens of the government, thus enormously increased by its profligate expenditures and benefactions, and is it therefore to be wondered at that the great masses of the people, who are not the recipients of its royal bounty, upon whom the bulk of these burdens fall, are poorly paid for their arduous toils? Is it any wonder that all over the land the growing murmurings of discontent are heard?

Is it any wonder that the laborers and farmers are organizing for

self-protection against the continuation of these shameful and crying wrongs? There is another fact that has still further tended to cause this spontaneous uprising of resistance to these flagrant abuses. The people of this country have witnessed with just cause of alarm the studious and persistent efforts of those corporations which have grown wealthy from the public bounty to control the Executive department, the Courts and the Upper House of Congress, in order that they may not only retain what they have got but procure still more favorable legislation. The Senate of the United States to-day is mainly a corral of corporation lawyers, placed there for the furtherance of corporate interests. It is to-day, in great part, a house of railroad lords and corporation attorneys. That body is the slaughter-pen of all corrective legislation originating in the Lower House. But the States have a remedy for this if they will but use it. Senators are but agents of the State, and it is not only the right but the imperative duty of State Legislatures to instruct their Senators upon any and every matter of public interest, and it is the duty of the agents to obey the behests of the principal. And there is no honorable Senator but what would do it or resign his office. If he could not conscientiously obey such instructions it would be his honorable duty to resign in order that the voice of the State may be obeyed.

I would therefore suggest that the Legislature should issue positive instructions to our Senators in Congress that they should support:

1st. A graduated income tax, in order that the wealth of the country should bear, as it ought, a share of the burdens of government, thus limiting duties on imports to fewer articles, mainly of luxury, or abolishing them altogether, and yet providing sufficient revenue by which necessary public works could be prosecuted, whereby needful employment could be given to needy labor. The best protective policy is to tax for revenue the wealth and not the industry of the country. And wealth should welcome such a tax, as affording a degree of justice conducive to its own security.

2d. A restoration of the *habeas corpus* jurisdiction of the Federal Courts to what it was under the judiciary act of 1789. This, in nearly seventy years' experience, was sufficient for all purposes, and the amplification of that jurisdiction under the reconstruction acts of 1867 and again in 1875 has produced endless confusion, and is in plain conflict with the Constitution, as it was a reserved right of State Courts after having obtained jurisdiction to retain such until the termination of the suit, which right is now unlawfully denied them. (117 U. S., 241).

3d. A forfeiture of all railroad land grants that were not earned within the time specified in the grant.

4th. An unlimited coinage of silver, and the furnishing by the Government alone of the currency of the country. There should be no banks of issue, either State or National.

5th. The furnishing of the people with a postal telegraph system. They are now unmercifully robbed by private corporations doing a business which it is plainly the duty of the Federal Government to undertake. That government was entrusted by the people with the transmission of intelligence. It availed itself of all improvements in such transmission except telegraphing, and that it has left for corporations to do, unbridled by it with any restrictive legislation as to charges.

6th. The passage of a stringent inter-State commerce bill restricting the extortions and discriminations of railroads.

7th. The abrogation of the Burlingame treaty.

8th. The speedy and complete improvement of our rivers and harbors in order that the people can be afforded relief from the onerous exactions imposed upon them by railroad corporations which by defeating such improvements can still hold their grasp upon the industries of the nation.

And I would suggest in case you see proper to so instruct your Senators that it might not be amiss to ask the co-operation of the other States by the instruction of their Senators for the same necessary measures.

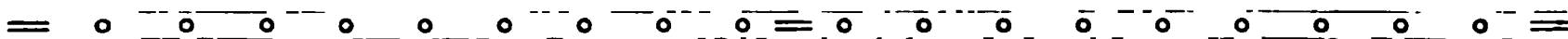
CONCLUSION.

In conclusion, gentlemen of the Legislative Assembly, allow me to express the confident hope that your deliberations during the coming session will be conducive only of the public good. Fortunately, you have no questions of a party character to distract your attention. Let then party feelings interests and ambitions be all forgotten and let men of both parties vie with each other as to which will render best service to the State. When you enter these halls you no longer represent parties, you are the representatives of the people. Here, in your official action, let your only motive be, to advance the welfare of the State at large; to guard with watchful care the interests of all classes; to make no expenditure but what is general in its benefactions; to adjust the burdens of State taxation so that wealth and dishonesty cannot shirk their just share; to be liberal in expenditures of a public character, while withholding any aid whatever from schemes of a purely local or private nature; to secure as far as possible the unsettled portions of the State domain to actual settlers in small quantities; to uncover and punish frauds, if any, upon the State; to avoid all class legislation, and, in

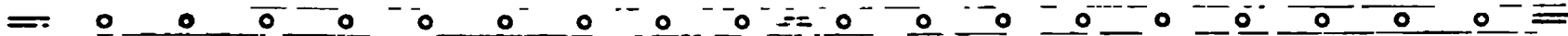
short, to set, in your official position, an example worthy of all **emulation**, of managing the entire affairs of the State with honesty, **economy** and fidelity. Then you will win the approval both of your **own** consciences and of the people of this Commonwealth.

113

SYLVESTER PENNOYER.



INDEX.



INDEX.

A.

ADDRESS—	PAGE.
Of the Speaker	831
ADJOURNMENT—	
Adjourned <i>sine die</i>	832
APPENDIX—	
Containing message of Governor Moody and inaugural address of Governor Pennoyer..	837

B.

BAKER, F.—	
Elected.....	12
BELL, REV, J. R. N.—	
Prayer by	75

BILLS—HOUSE.

HOUSE BILL No. 1—	
To create State board of charities and corrections and to prescribe its duties	15
Read first time.....	16
Referred.....	72
HOUSE BILL No. 2—	
To authorize county courts to build armories in cities of over ten thousand inhabitants	15
Read first time.....	18
Read second time and referred	72
Reported	161
Tabled.....	337
HOUSE BILL No. 3—	
To create the county of Wallowa and to fix the salaries of county judge and treasurer..	15
Read first time.....	18
Read second time and referred.....	72
Reported	118
Read third time.....	191
Passed.....	192
Signed.....	456

HOUSE BILL No. 4—	PAGE.
To support in aid of university of Oregon, and to provide for tuition therein and to repeal, etc., Acts in conflict.....	15
Read first time	18
Read second time and referred.....	72
Reported and re-referred.....	135
Reported	424
HOUSE BILL No. 5—	
To create a road law and repeal all laws in conflict therewith.....	15
Read first time	18, 21
Read second time and referred	72
Reported	163
Referred.....	386
Reported	404
Read third time and failed to pass	722
HOUSE BILL No. 6—	
To amend sections 43 and 44, title 4, school laws of Oregon.....	15
Read first time	18
Read second time and referred.....	72
Reported	196
Read third time and failed to pass.....	412
HOUSE BILL No. 7—	
To redistrict the State of Oregon into Senatorial districts, and to fix the number of Senators and Representatives in the legislative assembly.....	15
Read first time	20
Read second time and referred	72
HOUSE BILL No. 8—	
To permanently locate, regulate and maintain a State normal school.....	15
Read first time	20
Read second time	93
Reported	162
Read third time and failed to pass	462
HOUSE BILL No. 9—	
To allow construction of bridge across Willamette river at Portland.....	16
Read first time	21
Read second time and referred	13
HOUSE BILL No. 10—	
To amend the Act of October 17, 1878, relating to the election and salary of supreme and circuit judges.....	16
Read first time	22
Read second time and laid on table	73
HOUSE BILL No. 11—	
To amend section 3 of an Act approved October 18, 1877, providing for selection, location and sale of State lands.....	16
Read first time	22
Read second time and referred.....	74
Reported	122
HOUSE BILL No. 12—	
To provide for the time and places of holding the circuit courts in the first judicial district	16
Read first time	22

HOUSE BILL No. 12—CONTINUED—	PAGE.
Read second time and referred	74
Reported	841
Read third time and passed	389
Signed	567
HOUSE BILL No. 13—	
To amend section 14, title 1, chapter 28, criminal laws of Oregon of 1874, as amended October 17, 18—, relating to selling and giving liquor to minors	16
Read first time	22
Read second time and referred	74
Reported	213
Read third time and passed	461
Signed	610
HOUSE BILL No. 14—	
Prescribing the times and places of holding the terms of the circuit court in the sev- enth judicial district	16
Read first time	22
Read second time and referred	74
Reported	160
Recommitted	314
Reported	328
Read third time and passed	388
Signed	423
HOUSE BILL No. 15—	
For the relief of Klamath county	16
Read first time	22
Read second time and referred	74
Reported	109
Read third time and failed to pass	189
Reconsidered and failed to pass	190
HOUSE BILL No. 16—	
To amend section 3, chapter 24, laws of Oregon, compiled 1874, on foreign corporations doing business in this State	16
Read first time	22
Read second time and referred	74
Reported	209
Read third time and failed to pass	461
HOUSE BILL No. 17—	
To extend capitol grounds	18
Read first time	22
Read second time and referred	74
Reported	370
Read third time and failed to pass	717
HOUSE BILL No. 18—	
To relocate the county seat of Yamhill county	18
Read first time	22
Read second time and referred	75
Reported	120
Read third time and passed	271
Signed	602

	PAGE
HOUSE BILL No. 19—	
To incorporate the town of Myrtle Point, Oregon.....	15
Read first time	22
Read second time	75
Read third time	94
Passed.....	95
Signed.....	307
HOUSE BILL No. 20—	
To amend section 5 of an Act entitled an Act to provide for the election of Supreme and Circuit Judges	18
Read first time	23
Read second time	77
Referred	87
Reported	200
Reported	371
Read third time.....	454
Failed to pass	455
HOUSE BILL No. 21—	
To provide for the extermination of noxious weeds and to repeal chapter 61, general laws of Oregon.....	19
Read first time	23
Read second time and referred	72
Reported	123
Read third time and failed to pass.....	323
HOUSE BILL No. 22—	
To incorporate the city of Albina in Multnomah county, Oregon	19
Read first time	23
Read second time	79
Referred	86
Reported	111
Re-referred.....	132
Reported	136
Read third time	190
Passed.....	191
Signed.....	307
HOUSE BILL No. 23—	
To amend subdivision 1, section 17 of the school laws of Oregon of October 29, 1872, and providing text-books in common schools, etc.....	19
Read first time	23
Read second time and referred	79
Reported	623
HOUSE BILL No. 24—	
To repeal an Act entitled an Act to provide for the appointment of a board of immigra- tion commissioners and appropriating money.....	19
Read first time.....	23
Read second time and referred	79
Reported.....	370
Read third time	717
Passed.....	718

HOUSE BILL No. 25—	PAGE.
To authorize the Coos county transportation company to construct locks and tide gates	19
Read first time	23
Read second time and referred	79
Reported	111
Reported and referred	122
HOUSE BILL No. 26—	
To incorporate the town of Heppner, county of Morrow	19
Read first time	23
Read second time	80
Read third time	95
Passed	95
Signed	344
HOUSE BILL No. 27—	
To fix the salary of assessor of Multnomah county	19
Read first time	23
Read second time and referred	80
Reported	108
Read third time	187
Passed	187
Signed	307
HOUSE BILL No. 28—	
To redistrict the State into Senatorial and Representative districts and fixing the number of Senators and Representatives in the legislative assembly	19
Read first time	33
Read second time and referred	80
HOUSE BILL No. 29—	
To incorporate the city of Ashland in Jackson county, to define and regulate the exercise of its powers and to repeal an Act of the legislature of the State of Oregon, approved February 24, 1885, and all Acts amendatory thereof	19
Read first time	
Read second time and referred	80
Reported	113
Laid on the table	191
HOUSE BILL No. 30—	
For the more efficient organization and discipline of the militia of the State of Oregon	19
Read first time	34
Read second time and referred	81
Reported	196
Reported	204
Reported	205
Read third time and passed	465
Signed	824
HOUSE BILL No. 31—	
A bill for an Act to incorporate the town of Joseph in Union county, Oregon	19
Read first time	34
Read second time	34
Referred	35
Reported	114
Read third time and passed	191
Signed	358

HOUSE BILL No. 32—	PAGE.
A bill to amend an Act entitled an Act to amend an Act to incorporate the city of Portland, approved November 25, 1885	19
Read first time	35
Read second time and referred	82
Reported	113
Recommitted	147
Reported	186
Read third time and passed	337
Signed	390
Vetoed by Governor	419
Reconsidered	457
Considered and failed to pass	540
 HOUSE BILL No. 33—	
For an Act to amend sections 9 and 10 of an Act entitled an Act to create the county of Klamath and fix the salaries of county judge and treasurer, approved October 17, 1882	19
Read first time	35
Read second time and referred	82
Reported	120
Read third time and passed	220
Signed	307
 HOUSE BILL No. 34—	
To amend sections 17, 18 and 29 of chapter 64 of the miscellaneous laws of Oregon	19
Read first time	35
Read second time and referred	82
Reported	108
Read third time	186
Passed	187
 HOUSE BILL No. 35—	
An Act to amend an Act entitled an Act to amend section 28, title 3 of chapter 4 of miscellaneous laws of Oregon, compiled by M. P. Deady and Lafayette Lane	26
Read first time	35
Read second time and referred	82
 HOUSE BILL No. 36—	
For an Act entitled an Act to regulate the charges for transportation of freight by railroad corporations doing business within the State of Oregon	26
Read first time	35
Read second time and referred	82
Read third time	390
Passed	391
 HOUSE BILL No. 37—	
An Act to provide for licensing freight corporations or companies doing business within this State	26
Read first time	35
Read second time and referred	82
Reported	432
 HOUSE BILL No. 38—	
An Act to incorporate the town of Medford and to repeal an Act approved February 24, 1885	26
Read first time	35

HOUSE BILL No. 38—CONTINUED—	PAGE.
Read second time and referred.....	84
Reported	207
Read third time and passed.....	267
Signed.....	811
HOUSE BILL No. 39—	
A bill relating to property exempt from execution	26
Read first time	35
Read second time and referred	86
Reported	480
HOUSE BILL No. 40—	
To create the county of Tum-a-Lum and to fix the salaries of county judge and treasurer thereof	26
Read first time	35
Read second time and referred	86
Reported	120
Read third time.....	220
Passed.....	221
HOUSE BILL No. 41—	
For an Act providing for clearing creeks and other small streams from driftwood and other obstructions in this State and for the creation of drainage districts.....	26
Read first time	36
Read second time and referred	87
Reported	122
Read third time and failed to pass.....	332
HOUSE BILL No. 42—	
An Act to amend section 525 of chapter 2, also to amend section 647 of chapter 7 of the criminal code of the State of Oregon as compiled by M. P. Deady and Lafayette Lane	28
Read first time	37
Read second time and referred	88
HOUSE BILL No. 43—	
An Act to provide for kindergartens as a part of the public school system and to amend section 46 of chapter 4 of the miscellaneous laws of Oregon as compiled by M. P. Deady and Lafayette Lane as amended by an Act entitled "An Act to amend sections 8, 10, 11, 12, 25, 34, 37, 43 and 46 of chapter 4 of the miscellaneous laws of Oregon, pertaining to common schools," approved October 18, 1878.....	26
Read first time	37
Read second time and referred	134
Reported	347
Read third time and passed.....	602
Signed.....	791
HOUSE BILL No. 44—	
A bill for an Act for the selection and sale of State lands remaining unsold.....	26
Read first time	37
Read second time and referred	88
Reported	122
Reported	244
Reported	384
Read third time and passed.....	384
Signed.....	779

HOUSE BILL No. 45—

An Act to amend an Act entitled an Act to amend an Act entitled an Act to regulate the salaries of county treasurers in the State of Oregon, approved November 24, 1885.....	26
Read first time	37
Reported	108
Recommitted.....	147
Reported	352
Read third time and passed.....	574

HOUSE BILL No. 46—

To provide for a bounty on certain wild animals.....	26
Read first time	37
Read second time	134
Read third time and passed.....	193
Signed.....	806

HOUSE BILL No. 47—

To provide for the improvement of the Wallowa canyon wagon road and to appropriate money.....	27
Read first time	37
Read second time and referred	134
Reported	206
Read third time.....	457
Passed.....	458

HOUSE BILL No. 48—

To legalize certain county roads of the State of Oregon	27
Read first time	37
Read second time and referred.....	134
Reported	160
Indefinitely postponed.....	383

HOUSE BILL No. 49—

To prohibit the collection of accounts for liquor sold by retail.....	27
Read first time	37
Read second time and referred	134
Reported	214
Read third time and failed to pass.....	462

HOUSE BILL No. 50—

To appropriate money to aid the county commissioners of Coos and Douglas counties to construct a wagon road on the middle fork of the Coquille river in Coos and Douglas counties, Oregon.....	27
Read first time	37
Read second time and referred	134
Transferred	191
Reported	213
Re-referred.....	396
Reported	434
Read third time.....	676
Passed.....	677

HOUSE BILL No. 51—

For an Act to change the name of the town of Averill	27
Read first time	37
Read second time and referred	134

HOUSE BILL No. 51—CONTINUED—	PAGE.
Read third time.....	300
Passed.....	301
HOUSE BILL No. 52—	
For an Act to amend an Act to create the county of Morrow and to fix the salaries of county judge and treasurer	27
Read first time	38
Read second time and referred	134
Reported	210
Read third time and passed.....	268
Signed.....	358
HOUSE BILL No. 53—	
To amend section 3, title 1, chapter 50 of the code of Oregon.....	27
Read first time	39
Read second time and referred	134
Reported	206
Indefinitely postponed.....	457
HOUSE BILL No. 54—	
For an Act to regulate and tax fire insurance companies.....	27
Read first time.....	59
Read second time and referred.....	134
Read third time and failed to pass.....	395
HOUSE BILL No. 55—	
To declare forfeited to the State certain swamp and overflowed lands.....	31
Read first time	39
Read second time and referred	134
Reported.....	369
Indefinitely postponed.....	617
HOUSE BILL No. 56—	
An Act relating to sheriffs' fees, so as to include Coos and Curry counties.....	31
Read first time	39
Read second time and referred	136
Reported.....	265
Read third time and referred.....	333
Reported.....	368
Read third time and passed.....	523
Signed.....	811
HOUSE BILL No. 57—	
To reimburse Grant county, Oregon	31
Read first time.....	39
Read second time and referred.....	136
Reported.....	437
HOUSE BILL No. 58—	
To amend an Act to regulate the transportation of passengers and freight by railroad corporations.....	31
Read first time	39
Read second time and referred	136
Reported.....	167
Read third time and passed	616

HOUSE BILL No. 59—	PAGE
To amend laws establishing uniform course of instruction in public schools.....	31
Read first time	39
Read second time and referred	137
Reported	424
Re-referred.....	609
Reported.....	620
Read third time and passed.....	621
Signed.....	728
HOUSE BILL No. 60—	
To amend law establishing uniform course of public instruction.....	31
Read first time	40
Read second time and referred.....	137
Reported.....	425
Read third time.....	621
Passed.....	622
Signed.....	728
HOUSE BILL No. 61—	
To amend section 54 of the school laws of Oregon	31
Read first time	40
Read second time and referred	139
HOUSE BILL No. 62—	
For an Act to establish State reform school for boys	31
Read first time	40
Read second time and referred	139
Reported	348
Referred.....	521
Reported	586
HOUSE BILL No. 63—	
To incorporate the town of Grant's Pass in Josephine county, Oregon	31
Read first time	41
Read second time and referred	89
Reported	114
Re-referred	304
Reported	406
Tabled	407
HOUSE BILL No. 64—	
To amend section 3, title 1, chapter 50, miscellaneous laws of Oregon.....	31
Read first time	41
Read second time and referred	139
Reported	205
Read third time and passed.....	436
HOUSE BILL No. 65—	
To license dogs, declaring them public property, etc.....	31
Read first time	41
Read second time and referred	139
Reported	196
Read third time and passed.....	412

HOUSE BILL No. 66—	PAGE.
To create the county of Malheur in the State of Oregon and fix salaries of judge and treasurer	31
Read first time	41
Read second time and referred	140
Reported	210
Read third time and passed	268
Signed	691
 HOUSE BILL No. 67—	
To appropriate money to aid the commissioners of Baker county to construct a bridge across the Owyhee river	32
Read first time	41
Read second time and referred	140
Reported	367
Read third time	613
Failed to pass	614
 HOUSE BILL No. 68—	
To provide for the protection of banks of unnavigable streams	32
Read first time	41
Read second time and referred	140
Reported	161
Referred	385
Reported	432
 HOUSE BILL No. 69—	
To amend section 1 of an Act to create Gilliam county and to fix salaries of county judge and treasurer thereof	32
Read first time	41
Read second time and referred	140
Reported	218
Read third time and failed to pass	269
Reconsidered and passed	394
 HOUSE BILL No. 70—	
For an Act to amend sections 546 and 547 of title 5, chapter 3, civil code of Oregon	32
Read first time	41
Read second time and referred	140
Reported	159
Read third time and failed to pass	334
 HOUSE BILL No. 71—	
To quiet title of land in possession of certain settlers in Benton county, Oregon	32
Read first time	42
Read second time and referred	140
 HOUSE BILL No. 72—	
To amend amended school laws of Oregon	32
Read first time	42
Read second time and referred	141
Reported	425
Read third time and passed	621
Signed	801

	PAGE.
HOUSE BILL No. 73—	
To amend section 1 of an Act to create roads of public easement, approved October 20, 1876	32
Read first time	43
Read second time and referred	141
Reported	161
Read third time	335
Passed	336
HOUSE BILL No. 74—	
To regulate the salmon fisheries of Oregon	32
Read first time	43
Read second time and referred	142
HOUSE BILL No. 75—	
To limit time of enforcing judgments	33
Read first time	43
Read second time and referred	142
Reported	159
Laid on table	334
HOUSE BILL No. 76—	
To amend the assignment law	33
Read first time	43
Read second time and referred	142
Reported	159
Read third time and failed to pass	335
HOUSE BILL No. 77—	
To amend an Act for securing liens for mechanics, laborers, material men, and others, and prescribing the manner of enforcement	36
Read first time	43
Read second time and referred	142
Reported	160
Read third time and passed	333
HOUSE BILL No. 78.	
To amend an Act entitled "An Act to provide for the custody and treatment of the insane"	36
Read first time	43
Read second time and referred	142
Reported	560
HOUSE BILL No. 79—	
Read first time	43
Read second time and referred	142
Reported	161
Read third time and passed	384
Failed to pass	385
HOUSE BILL No. 80—	
Read first time	43
Read second time and referred	142
Reported	371
Read third time and failed to pass	718
HOUSE BILL No. 81—	
Read first time	43
Read second time and referred	142
Reported	441

HOUSE BILL No. 82—	PAGE.
Read first time.....	43
Read second time and referred.....	144
Reported.....	361
Read third time and passed.....	609
Signed.....	791
HOUSE BILL No. 83—	
Read first time.....	44
Read second time and referred.....	150
Reported.....	343
Reported.....	455
Read third time.....	597
Failed to pass.....	598
HOUSE BILL No. 84—	
Read first time.....	44
Read second time and referred.....	150
Reported.....	438
Read third time.....	708
Passed.....	709
HOUSE BILL No. 85—	
Read first time.....	44
Read second time and referred.....	150
Reported.....	370
Read third time and passed.....	679
HOUSE BILL No. 86—	
Read first time.....	46
Read second time and referred.....	150
Reported.....	361
Indefinitely postponed.....	576
HOUSE BILL No. 87—	
To provide for publishing reports of county finances and to pay for the same.....	47
Read first time.....	48
Read second time and referred.....	150
Reported.....	200
Read third time.....	453
Passed.....	454
Signed.....	579
HOUSE BILL No. 88—	
Relating to the giving of tobacco and cigarettes to minors.....	47
Read first time.....	57
Read second time and referred.....	150
Reported.....	348
Read third time and passed.....	605
HOUSE BILL No. 89—	
To specify the duties of common school officers, to fix right of suffrage at district school meetings and right to hold office.....	47
Read first time.....	57
Read second time and referred.....	150

	PAGE
HOUSE BILL No. 90—	
For the relief of A. W. Presley of Jackson county	47
Read first time	58
Read second time and referred	150
Reported	360
Read third time and passed	446
Signed	806
HOUSE BILL No. 91—	
To amend section 1 and repeal section 3 of an Act to regulate passage of bicycles, traction engines, etc., on public highways	47
Read first time	—
Read second time and referred	150
Reported	363
Read third time and passed	613
HOUSE BILL No. 92—	
To amend section 2 of chapter 3 of the justice code	47
Read first time	58
Read second time and referred	151
Reported	353
Indefinitely postponed	608
HOUSE BILL No. 93—	
To fix the time of holding county court in Gilliam county, Oregon	47
Read first time	58
Read second second time and referred	151
Reported	211
Read third time	337
Passed	338
Signed	381
HOUSE BILL No. 94—	
To amend section 28, title 3, chapter 4, miscellaneous laws of Oregon	47
Read first time	58
Read second time and referred	151
Call up and referred	288
Reported	288
Read third time and passed	581
Signed	728
HOUSE BILL No. 95—	
To amend section 42 of title 4 of an Act entitled an Act to establish a uniform course of public instruction	47
Read first time	58
Read second time and referred	169
Reported	318
Read third time and failed to pass	604
HOUSE BILL No. 96—	
To amend section 62, title 6, chapter 4, miscellaneous laws of Oregon	48
Read first time	58
Read second time and referred	169
Reported	348
Read third time	604
Passed	605
Signed	728

HOUSE BILL No. 97—	PAGE.
To amend section 178, title 2, chapter 2 of the code of civil procedure.....	48
Read first time	59
Read second time and referred	169
Reported	428
HOUSE BILL No. 98—	
To regulate the practice of dentistry.....	48
Read first time	59
Read second time and referred	171
HOUSE BILL No. 99—	
To protect the people of this State against unfair adjustment of insurance companies.....	48
Read first time	59
Read second time	171
HOUSE BILL No. 100—	
To protect the people of this State against empiricism	48
Read first time	59
Read second time and referred	171
HOUSE BILL No. 101—	
To amend sections 547 and 548, chapter 6 of the code of civil procedure as compiled by M. P. Deady and Lafayette Lane.....	49
Read first time	59
Read second time and referred	171
Reported.....	201
Read third time and passed	456
HOUSE BILL No. 102—	
To declare the first Saturday of June each year a public holiday	49
Read first time	64
Read second time and referred	171
Read third time and passed	396
Signed.....	779
HOUSE BILL No. 103—	
To amend an Act entitled an Act to amend section 28, title 3, chapter 4 of general laws of Oregon.....	49
Read first time	64
Read second time and referred	171
HOUSE BILL No. 104—	
To create the county of Harney Lake	49
Read first time.....	64
Read second time and referred	172
Reported	212
Read third time and passed	268
HOUSE BILL No. 105—	
An Act extended and defining jurisdiction on Columbia river	49
Read first time.....	66
Read second time and referred.....	172
HOUSE BILL No. 106—	
To prevent foreign or American insurance companies transferring suits from State to United States courts.....	49
Read first time.....	66
Read second time and referred.....	203

HOUSE BILL No. 107—	PAGE.
To create county clerks commissioners of estrays and define duties, etc.	49
Read first time.....	66
Read second time and referred	173
Reported.....	441
HOUSE BILL No. 108—	
To provide for collecting, compiling, printing, binding, publishing and distributing laws of Oregon.....	49
Read first time.....	66
Read second time and referred	173
Reported.....	364
Read third time and failed to pass.....	615
HOUSE BILL No. 109—	
To prevent persons from unlawfully using or wearing the badge of the Grand Army of the Republic of this State.....	49
Read first time	66
Read second time and referred	173
Recommitted.....	109
Reported	253
Read third time.....	522
Passed.....	528
Signed.....	590
HOUSE BILL No. 110—	
To permanently locate, regulate and maintain a State normal school	58
Read first time.....	67
Read second time and referred	174
Reported	587
HOUSE BILL No. 111—	
To amend section 23, title 3 of an Act entitled an Act to establish a uniform course of public instruction in common schools for this State.....	58
Read first time	67
Read second time.....	174
HOUSE BILL No. 112—	
Requiring packages and cases of salmon to be branded, labeled, etc.....	58
Read first time	67
Read second time and referred	245
HOUSE BILL No. 113—	
To incorporate Sellwood, in Multnomah and Clackamas counties	61
Read first time	67
Read second time and referred	245
Read third time and passed.....	302
Signed.....	381
HOUSE BILL No. 114—	
Relating to county roads and supervisors.....	61
Read first time	67
Read second time and referred	245
Reported	362
Read third time and passed.....	612

HOUSE BILL No. 115—	PAGE.
To regulate the sale or gift of opium, morphine, etc.	61
Read first time	67
Read second time and referred	245
Reported	350
Read third time and passed	606
Signed	806
 HOUSE BILL No. 116—	
To amend section 525, chapter 2, criminal code	61
Read first time	67
Read second time and referred	245
Reported	349
Read third time	606
Passed	606
 HOUSE BILL No. 117—	
To establish number of hours constituting a day's work	61
Read first time	67
Read second time and referred	246
Reported	410
Read third time and passed	725
 HOUSE BILL No. 118—	
To protect live stock and provide for payment for same when killed or injured by rail- roads	61
Read first time	68
Read second time and referred	246
Reported	372
Read third time	718
Passed	719
 HOUSE BILL No. 119—	
To amend section 25, chapter 4 of miscellaneous laws pertaining to common schools...	61
Read first time	68
Read second time and referred	246
 HOUSE BILL No. 120—	
To provide for construction and extension of narrow-gauge railways	61
Read first time	69
Read second time and referred	246
Reported	372
Read third time	719
Passed	720
 HOUSE BILL No. 121—	
To secure just and equal valuation of property for taxation	61
Read first time	69
Read second time and referred	347
Reported	442
 HOUSE BILL No. 122—	
For extending the duties of State Superintendent of Public Instruction	67
Read first time	69
Read second time and referred	247

	PAGE.
HOUSE BILL No. 123—	
To fix the salary of superintendent of the Oregon State penitentiary	67
Read first time	69
Read second time and referred	247
Reported	353
Read third time and passed	573
Signed	592
HOUSE BILL No. 124—	
To amend section 90, title 6, chapter 57, miscellaneous laws of Oregon	68
Read first time	70
Read second time and referred	247
Reported	352
Read third time and passed	607
Signed	779
HOUSE BILL NO. 125—	
To amend section 8, title 1, chapter 20 of miscellaneous laws of Oregon	70
Read first time	70
Read second time and referred	247
Reported	548
Read third time and passed	---
HOUSE BILL No. 126—	
To appropriate money to aid in building bridge across North Umpqua river	70
Read first time	70
Read second time and referred	277
Reported	433
HOUSE BILL No. 127—	
For an Act to establish county uniformity in text-books	70
Read first time	70
Read second time and referred	277
Reported	547
Read third time and failed to pass	677
HOUSE BILL No. 128—	
To incorporate the town of Drain in Douglas county, Oregon	70
Read first time	71
Read second time and referred	89
Reported	207
Read third time and passed	267
Signed	381
HOUSE BILL No. 129—	
To appropriate \$20,000 to aid Curry county in constructing wagon road	71
Read first time	90
Read second time and referred	278
Reported	434
HOUSE BILL No. 130—	
Granting right to establish, operate and maintain a ferry across Yaquina bay	71
Read first time	90
Read second time	278
Recalled and referred	328

INDEX.

81

	PAGE.
HOUSE BILL No. 131—	
To amend an Act entitled an Act to amend section 28, title 3, chapter 4, miscellaneous laws of Oregon.....	71
Read first time.....	90
Read sccond time and referred	278
HOUSE BILL No. 132—	
For an Act to regulate salaries of county judges in Oregon	71
Read first time.....	90
Read second time.....	279
Reconsidered.....	288
Recalled	314
Read third time and passed	571
Signed.....	806
HOUSE BILL No. 133—	
To authorize board of school land commissioners to settle claims for repayment of money received for land to which the State had no title.....	75
Read first time	90
Read second time.....	284
Read third time.....	571
Passed.....	572
HOUSE BILL No. 134—	
To provide for the apprehension and punishment of the murderers of Thomas Bybee...	76
Read first time	90
Read second time	288
Read third time and failed to pass.....	581
HOUSE BILL No. 135—	
To provide for constitutional convention.....	76
Read first time	90
Read second time and referred	289
Reported	548
Read third time.....	661
Failed to pass	662
HOUSE BILL No. 136—	
To enable legal claimants of swamp and overflowed lands to perfect titles.....	76
Read first time	91
Read second time and referred	289
HOUSE BILL No. 137—	
To amend section 52, title 3, chapter 7, miscellaneous laws of Oregon.....	76
Read first time	97
Read second time.....	289
Read third time and passed.....	582
Signed.....	779
HOUSE BILL No. 138—	
To amend section 491, title 7, chapter 5, general laws of Oregon.....	76
Read first time	97
Read second time and referred	290
Reported	351
Read third time and passed.....	606

HOUSE BILL No. 139—	PAGE.
To regulate practice of medicine	76
Read first time	98
Read second time and referred	253
Reported	352
Read third time	607
Failed to pass	608
 HOUSE BILL No. 140—	
To create and define the duties of road supervisors	76
Read first time	98
Read second time and referred	290
Reported	550
 HOUSE BILL No. 141—	
To amend sections 4, 6 and 8, chapter 2, section 35 of chapter 5, section 56 of chapter 7, etc., of an Act to incorporate the city of La Grande in Union county, Oregon	76
Read first time	98
Read second time and referred	290
Reported	552
 HOUSE BILL No. 142—	
To suppress beggars and tramps	76
Read first time	98
Read second time and referred	291
 HOUSE BILL No. 143—	
To regulate the practice of pharmacy in Multnomah county	76
Read first time	98
Read second time and referred	291
Reported	443
 HOUSE BILL No. 144—	
To amend sections 40, 41 and 42, title 2, chapter 50, miscellaneous laws of Oregon	76
Read first time	98
Read second time and referred	292
Reported	430
 HOUSE BILL No. 145—	
To amend an Act to prevent deception in sales of dairy products, approved February 25, 1885	96
Read first time	98
Read second time	292
Read third time and passed	588
Signed	728
 HOUSE BILL No. 146—	
For relief of J. L. Parrish	96
Read first time	99
Read second time and referred	292
Reported	437
 HOUSE BILL No. 147—	
To amend an Act relating to compensation of school clerks, approved November 21, 1885	96
Read first time	99
Read second time and referred	293
Reported	423

HOUSE BILL No. 147—CONTINUED—	PAGE.
Read third time.....	619
Passed.....	620
Signed.....	779
HOUSE BILL No. 148—	
To amend an Act approved October 24, 1882, entitled an Act to amend section 878, title 3, chapter 11, code of civil procedure.....	96
Read first time.....	99
Read second time and referred.....	293
HOUSE BILL No. 149—	
To define the boundary line between Yamhill and Tillamook counties.....	96
Read first time.....	99
Read second time.....	293
Read third time and passed.....	572
Signed.....	592
HOUSE BILL No. 150—	
To license stallions and jacks.....	96
Read first time.....	99
Read second time and referred.....	293
Reported.....	351
Read third time.....	606
Failed to pass.....	607
HOUSE BILL No. 151—	
To provide for appropriation of water for beneficial purposes and to secure water rights.....	96
Read first time.....	99
Read second time and referred.....	293
Reported.....	427
HOUSE BILL No. 152—	
To create the Willamina Netart's Bay Toll Road Company and open right of way for same.....	96
Read first time.....	99
Read second time and referred.....	294
Reported.....	362
Referred.....	383
Reported.....	550
Read third time and passed.....	569
HOUSE BILL No. 153—	
To provide for more equitable and just assessment of taxation in Oregon.....	96
Read first time.....	99
Read second time and referred.....	100
Reconsidered and referred.....	104
Reported and referred.....	138
Reported.....	214
Indefinitely postponed.....	216
HOUSE BILL No. 154—	
To tax insurance companies or associations and regulate manner of assessments and collection thereof from domestic insurance companies.....	96
Read first time.....	100
Read second time and referred.....	294
Reported.....	354
Referred.....	521

	PAGE.
HOUSE BILL No. 155—	
To regulate proper appropriation of road moneys.....	97
Read first time.....	100
Read second time and referred.....	294
Reported.....	362
Read third time.....	609
Passed.....	610
HOUSE BILL No. 156—	
To restrict Chinese from working or holding mining claims or real estate.....	97
Read first time.....	100
Read second time and referred.....	294
Reported.....	409
Read third time and failed to pass.....	723
HOUSE BILL No. 157—	
To provide for the selection of homesteads and exemptions from execution or forced sale thereof.....	97
Read first time.....	100
Read second time and referred.....	294
HOUSE BILL No. 158—	
To amend section 55, title 4, school laws of Oregon.....	97
Read first time.....	100
Read second time and referred.....	294
HOUSE BILL No. 159—	
To appropriate \$5,000 for building wagon road from town of Joseph to State line near mouth of Grande Ronde river.....	97
Read first time.....	100
Read second time and referred.....	294
Reported.....	551
HOUSE BILL No. 160—	
To regulate sale of spirituous, malt and vinous liquors and licensing sale of same.....	97
Read first time.....	101
Read second time and referred.....	101
HOUSE BILL No. 161—	
To defray funeral expenses of needy soldiers of all wars.....	97
Read first time.....	103
Read second time and referred.....	294
Reported.....	344
Read third time.....	598
Passed.....	599
HOUSE BILL No. 162—	
To prevent the adulteration of food or drugs.....	97
Read first time.....	103
Read second time and referred.....	294
Reported.....	367
Read third time.....	615
Passed.....	616
HOUSE BILL No. 163—	
To create office of attorney-general for the State of Oregon.....	97
Read first time.....	103
Read second time and referred.....	295

HOUSE BILL No. 163—CONTINUED—	PAGE.
Reported	349
Read third time and made special order	605
Read third time and passed	656
HOUSE BILL No. 164—	
To encourage improvement of breeds in cattle and hogs	97
Read first time	126
Read second time and referred	294
Reported	441
HOUSE BILL No. 165—	
To authorize and empower Springfield Milling Company to construct and maintain im- provements along Fall creek in Lane county, Oregon	97
Read first time	126
Tabled	126
HOUSE BILL No. 166—	
To regulate payment of wages of employes of corporations and companies	97
Read first time	126
Read second time	295
Read third time	589
Failed to pass	590
HOUSE BILL No. 167—	
To amend section 18, title 3, chapter 41 of miscellaneous laws of Oregon	99
Read first time	126
Read second time	295
Read third time	590
Passed	591
Signed	808
HOUSE BILL No. 168—	
To incorporate the town of Linkville	101
Read first time	127
Read second time and referred	174
Laid on table	302
Returned to committee	318
HOUSE BILL No. 169—	
To amend an Act incorporating Springfield, Oregon, approved February 25, 1885, and re- peal Acts conflicting therewith	101
Read first time	127
Read second time	128
Reported	219
Read third time and passed	301
Signed	481
HOUSE BILL No. 170—	
To provide for subjection of debts due by judgment to the levy of attachment and exe- cution	104
Read first time	128
Read second time and referred	295
Reported	351
Read third time and passed	607
HOUSE BILL No. 171—	
To amend section 25 of miscelleous laws on common schools	104
Read first time	128
Read second time and referred	295

	PAGE.
HOUSE BILL No. 172—	
To amend section 2 of Act to prevent contagious and infectious diseases, approved October 20, 1880.....	104
Read first time	128
Read second time and referred	296
Reported	442
HOUSE BILL No. 173—	
Relating to appeals	104
Read first time	128
Read second time and referred	129
Reported	159
Indefinitely postponed.....	383
HOUSE BILL No. 174—	
Relating to evidence in actions against insurance companies on policies issued on property in the State.....	104
Read first time	129
Read second time	296
Read third time and referred.....	591
Reported	613
HOUSE BILL No. 175—	
For relief of N. G. McDonald.....	123
Read first time	129
Read second time and referred	129
Reported	361
Read third time and passed.....	575
HOUSE BILL No. 176—	
To provide for protection of deer and elk.....	123
Read first time	129
Read second time and referred	296
Reported	440
HOUSE BILL No. 177—	
To fix salaries of county school superintendents	123
Read first time	129
Read second time and referred	297
Read third time and passed.....	592
Tabled	751
HOUSE BILL No. 178—	
Creating the eighth judicial district of Oregon.....	123
Read first time	129
Read second time and referred.....	297
HOUSE BILL No. 179—	
To provide for the compensation of judges and clerks of registration in Grant county, Oregon	124
Read first time	129
Read second time and referred.....	297
Reported	359
Indefinitely postponed.....	356
HOUSE BILL No. 180—	
To appropriate money for erection of schoolhouse in district No 4, Grant county, Oregon.....	124
Read first time	129
Read second time and referred	297
Reported and indefinitely postponed	360

HOUSE BILL No. 181—	PAGE.
Granting Colonel Vancleve right to build and operate ferry on Yaquina bay.....	124
Read first time.....	129
Read second time and referred	298
HOUSE BILL No. 182—	
To appropriate money to build a wagon road over or around Cape Perpetua.....	124
Read first time	129
Read second time and referred.....	298
Reported.....	552
HOUSE BILL No. 183—	
To protect wool growers and for the confiscation of dogs.....	124
Read first time	129
Read second time and referred	298
Reported	372
Read third time and failed to pass.....	720
HOUSE BILL No. 184—	
To protect salmon and other food fish	124
Read first time	129
Read second time and referred	299
HOUSE BILL No. 185—	
Making the construction of wire fences without guards a misdemeanor.....	124
Read first time	129
Read second time and referred.....	299
Reported.....	440
HOUSE BILL No. 186—	
To amend an Act to define the southern boundary of Linn county	124
Read first time	130
Read second time	299
Read third time and passed	303
Signed.....	619
HOUSE BILL No. 187—	
To procure detection and punishment of fraud in procurement of title to swamp and overflowed land.....	124
Read first time.....	130
Read second time and referred	299
HOUSE BILL No. 188—	
To regulate the sale of spirituous, malt and vinous liquors	124
Read first time	131
Read second time and referred	131
HOUSE BILL No. 189—	
For repairing and rebuilding wagon road from Lakeview to Ashland and to appropriate money therefor	124
Read first time	133
Read second time and referred.....	305
Reported	434
HOUSE BILL No. 190—	
To appropriate money to aid county and district agricultural associations	124
Read first time	133
Read second time and referred	307
Reported	369
Read third time and passed.....	617

HOUSE BILL No. 191—	PAGE.
Regulating town sites.....	124
Read first time	133
Read second time and referred.....	308
Reported	268
HOUSE BILL No. 192—	
To encourage normal instruction in literary institutions.....	124
Read first time	133
Read second time and referred	310
Reported	548
HOUSE BILL No. 193—	
Defining in what justices' courts a criminal prosecution may be instituted	124
Read first time	133
Read second time	310
Read third time and failed to pass	594
Reconsidered.....	619
Passed	668
HOUSE BILL No. 194—	
Authorizing Tillamook Lumbering Company to construct and maintain booms.....	130
Read first time	133
Read second time and referred.....	310
HOUSE BILL No. 195—	
To regulate fire and marine insurance.....	130
Read first time	133
Read second time and referred	313
HOUSE BILL No. 196—	
To regulate foreign and domestic insurance companies.....	130
Read first time	134
Read second time and referred.....	314
HOUSE BILL No. 197—	
To amend sections 3 and 12 of an Act to define and fix compensation of State Printer, etc.....	155
Read first time	156
Read second time and referred	315
Reported	363
Read third time and passed.....	615
Signed	808
HOUSE BILL No. 198—	
Granting right of way to Portland and Willamette Valley Railway Company through River View Cemetery	155
Read first time	156
Read second time and referred	315
Reported	394
Read third time and passed	609
Signed.....	801
HOUSE BILL No. 199—	
To amend Acts incorporating Eugene City, Oregon.....	155
Read first time	158
Read second time	304
Read third time and passed.....	338
Signed.....	381

HOUSE BILL No. 200—	PAGE
To amend an Act for the protection of fish and game	155
Read first time	157
Read second time and referred	315
Reported	431
Read third time	678
Failed to pass	679
HOUSE BILL No. 201—	
To provide for mileage of jurors in courts of justices of the peace	155
Read first time	157
Read second time and referred	315
HOUSE BILL No. 202—	
To regulate and define the width of draws on bridges	155
Read first time	157
Read second time and referred	157
HOUSE BILL No. 203—	
To amend the charter of the city of East Portland, Oregon	155
Read first time	158
Read second time	158
Reported	220
Read third time	301
Passed	302
Signed	379
HOUSE BILL No. 204—	
To divide the clerk's office of Multnomah county, Oregon	155
Read first time	165
Read second time and referred	166
Reported and referred	201
Reported	343
Read third time	387
Passed	388
Signed	691
HOUSE BILL No. 205—	
Authorizing county commissioners of Multnomah county to rent bridge	155
Read first time	166
Read second time and referred	316
Reported	445
HOUSE BILL No. 206—	
To amend section 30, title 3, chapter 50, miscellaneous laws of Oregon	155
Read first time	166
Read second time and referred	316
Reported	551
Read third time and passed	708
HOUSE BILL No. 207—	
To regulate hog pens and slaughterhouses	155
Read first time	166
Read second time and referred	316
HOUSE BILL No. 208—	
To amend an Act to create the county of Morrow	155
Read first time	166
Read second time and referred	316
Reported	725

HOUSE BILL No. 209—	PAGE.
To define duties of county courts	155
Read first time	167
Read second time and referred	316
Reported	551
HOUSE BILL No. 210—	
To amend section 21 of pilot laws, also sections 3 and 23	155
Read first time	167
Read second time and referred	167
Reported	356
Read third time and passed	357
Signed	830
HOUSE BILL No. 211—	
To amend section 16 of an Act to establish paid fire department of Portland	156
Read first time	168
Read second time	316
Read third time and passed	386
Signed	791
HOUSE BILL No. 212—	
For the relief of Mr. Wm. Glick	156
Read first time	168
Read second time and referred	168
Reported	423
HOUSE BILL No. 213—	
To regulate the employment of Chinamen	156
Read first time	169
Read second time and referred	169
Ordered returned	298
Reported	410
Read third time	723
Failed to pass	724
HOUSE BILL No. 214—	
Providing what interest women shall have in husband's property	156
Read first time	169
Read second time and referred	316
Reported	358
Read third time	577
Failed to pass	578
Reconsidered and failed to pass	618
HOUSE BILL No. 215—	
To repeal an Act to protect certain birds of the pheasant kind	156
Read first time	170
Read second time and referred	317
Reported	340
Read third time and failed to pass	597
HOUSE BILL No. 216—	
To appropriate money to purchase land for agricultural college, etc.	178
Read first time	179
Read second time	180
Referred	204
Reported	239

HOUSE BILL No. 217—	PAGE.
To provide for branding products of convict labor, etc.	178
Read first time	179
Read second time	179
Referred	180
Reported	445
HOUSE BILL No. 218—	
To amend section 5 of an Act to redistrict the State into judicial districts, etc.	179
Read first time	181
Read second time	181
Referred	182
Reported	212
Read third time and passed	389
Signed	423
HOUSE BILL No. 219—	
To repeal an Act providing for the support and government of the university of Oregon, Act approved October 26, 1876	179
Read first time	183
Read second time and referred	317
Reported	547
Read third time and failed to pass	622
HOUSE BILL No. 220—	
To repeal an Act to aid in the support of the university of Oregon, approved October 17, 1872	179
Read first time	183
Read second time and referred	317
Reported	247
HOUSE BILL No. 221—	
To amend Acts governing Oregon insane asylum	179
Read first time	183
Read second time and referred	318
HOUSE BILL No. 222—	
To appropriate money to pay expenses of present session of legislative assembly	179
Read first time	183
Read second time	184
Read third time	186
Passed	186
Signed	222
HOUSE BILL No. 223—	
To amend section 1 of an Act exempting firemen from certain duties and taxes	179
Read first time	184
Read second time	318
Read third time and passed	595
HOUSE BILL No. 224—	
For the protection of deer and elk	179
Read first time	184
Read second time and referred	318
Reported	370
Read third time and passed	661

	PAGE.
HOUSE BILL No. 225—	
Read first time	202
Read second time	319
Reported	408
Read third time and passed	447
HOUSE BILL No. 226—	
Appropriating aid to bridge Trask river	254
Read first time	254
Read second time and referred	318
Reported	426
HOUSE BILL No. 227—	
To amend an Act incorporating school districts in towns of over 10,000 inhabitants	254
Read first time	254
Read second time and referred	319
HOUSE BILL No. 228—	
To amend section 34, title 1, chapter 50, general laws, relating to notices for road work	255
Read first time	255
Read second time and referred	255
Reported	316
Indefinitely postponed	608
HOUSE BILL No. 229—	
To provide for election of precinct assessors	255
Read first time	256
Read second time and referred	256
Returned	316
Reported	---
Read third time	608
Passed	604
HOUSE BILL No. 230—	
To amend an Act creating the county of Gilliam and fix salaries	256
Read first time	256
Read second time and referred	319
Reported	367
Read third time	616
Failed to pass	617
HOUSE BILL No. 231—	
To reimburse Coos and Curry counties	256
Read first time	256
Read second time and referred	319
Reported	549
HOUSE BILL No. 232—	
To prevent fraud on the right of petition and provide punishment	256
Read first time	257
Read second time and referred	320
Reported	549
HOUSE BILL No. 233—	
To amend an Act changing the name of the town of Alkali and incorporate the same	257
Read first time	257
Read second time and referred	257
Reported	258
Read third time and passed	258
Signed	257

HOUSE BILL No. 234—	PAGE.
To amend title 3, chapter 7, miscellaneous laws	---
Read first time	257
Read second time and referred	258
Ordered returned	298
Reported	560
HOUSE BILL No. 235—	
Read first time	259
Read second time	259
Read third time	592
Failed to pass	593
HOUSE BILL No. 236—	
To amend section 879, title 4, chapter 11, civil code, general laws	263
Read first time	263
Read second time and referred	264
HOUSE BILL No. 237—	
Granting certain privileges to Rogue River Boom Company	264
Read first time	264
Read second time	402
Referred	560
Reported	588
HOUSE BILL No. 238—	
To enable and authorize county court of Tillamook county to negotiate a loan and issue bonds	264
Read first time	264
Read second time	402
Read third time and passed	594
Signed	791
HOUSE BILL No. 239—	
For appointment of judges of election and provide for posting notices, etc., etc., transmitting through mail	264
Read first time	264
Read second time	402
Read third time	720
Failed to pass	721
HOUSE BILL No. 240—	
To amend an Act to amend section 117, chapter 12, miscellaneous provisions relating to proceedings in justices' courts	265
Read first time	265
Read second time	265
Read third time	575
Passed	575
HOUSE BILL No. 241—	
To amend charter of city of Newport	270
Read first time	270
Read second time and referred	345
Reported	559
Read third time	656
Passed	657
Signed	811

HOUSE BILL No. 242—	PAGE
Enabling women to hold office of county school superintendent.....	270
Read first time	270
Read second time and referred	402
Reported	443
Read third time and passed.....	619
HOUSE BILL No. 243—	
To establish uniformity in measurement of green and ripe fruit	271
Read first time	271
Read second time and referred	402
Reported.....	613
HOUSE BILL No. 244—	
To declare void certain certificates of sale, etc., of swamp lands	271
Read first time	271
Read second time and referred	272
Reported	535
HOUSE BILL No. 245—	
To incorporate the city of Portland	273
Read first time	273
Read second time and referred	274
HOUSE BILL No. 246—	
To repeal an Act entitled "An Act to amend section 914, title 1, chapter 12, and sections 926, 929, 930, 931, 932 and 937 of title 3 of said chapter 12 of the code of civil procedure, as compiled by M. P. Deady and Lafayette Lane, and also to amend sections 31, 34 and 38, and to repeal section 33 of chapter 5, title 1 of the code of criminal procedure, as compiled by said Deady and Lane, approved February 24, 1885, and to amend section 178 of title 2 of chapter 2, and to amend sections 921 and 922 of title 2 of chapter 12 of the code of civil procedure, and to amend sections 927, 929 and 937 of title 3, chapter 12, of the code of civil procedure, and to amend section 918 of title 1 of chapter 12 of the code of civil procedure, as amended by an Act entitled an Act to amend section 918 of title 1 of chapter 12 of the civil code, approved October 24, 1882.....	274
Read first time	275
Read second time and referred	403
HOUSE BILL No. 247—	
To amend Act incorporating city of Ashland.....	275
Read first time	276
Read second time and referred	276
Reported	300
Read third time.....	302
Passed.....	303
Signed.....	379
HOUSE BILL No. 248—	
For relief of school district No. 47 in Linn county	320
Read first time.....	320
Read second time and referred	321
Reported	340
Read third time.....	346
Passed.....	387
Signed.....	579

HOUSE BILL No. 249—	PAGE.
To provide for purchase of locks, etc., at Oregon City.....	253
Read first time.....	354
Read second time and referred.....	403
Reported.....	436
Read third time and failed to pass.....	521
Reconsidered.....	147
Failed to pass.....	566
HOUSE BILL No. 250—	
To regulate the fees of clerks in Clatsop county.....	354
Read first time.....	354
Read second time.....	381
Read third time and failed to pass.....	575
HOUSE BILL No. 251—	
To provide for the support of the propagation of food fishes.....	354
Read first time.....	355
Read second time and referred.....	356
Reported.....	559
HOUSE BILL No. 252—	
To amend sections 2 and 3 of chapter 24, general laws of Oregon.....	374
Read first time.....	374
Read second time and referred.....	404
Reported.....	426
HOUSE BILL No. 253—	
To provide for, locate and aid in opening a wagon road to be called the Columbia river and Tillamook wagon road.....	374
Read first time.....	375
Read second time and referred.....	404
Reported.....	433
HOUSE BILL No. 254—	
To provide county commissioners for Columbia county.....	375
Read first time.....	375
Read second time and referred.....	375
Reported.....	439
Read third time and passed.....	530
Signed.....	579
HOUSE BILL No. 255—	
To amend section 21, chapter 50, title 1, miscellaneous laws of Oregon.....	376
Read first time.....	376
Read second time and referred.....	406
Reported.....	551
HOUSE BILL No. 256—	
To permit gates on county roads under certain circumstances.....	376
Read first time.....	376
Read second time and referred.....	408
Reported.....	438
HOUSE BILL No. 257—	
To amend section 5 of an Act to prevent deception in sales of dairy products.....	376
Read first time.....	376
Read second time and referred.....	408

	PAGE.
HOUSE BILL No. 258—	
For the relief of George Clark	376
Read first time	376
Read second time and referred	411
Reported	549
HOUSE BILL No. 259—	
Repealing certain sections miscellaneous laws of Oregon and providing clerical aid for Secretary of State	414
Read first time	415
HOUSE BILL No. 260—	
To provide for the safety of passengers on railroads in Oregon	414
Read first time	416
HOUSE BILL No. 261—	
To amend Act incorporating the town of Dallas in Polk county, Oregon	414
Read first time	416
Read second time	622
Read third time and passed	623
Signed	791
HOUSE BILL No. 262—	
For the relief of T. G. Harkness	414
Read first time	417
HOUSE BILL No. 263—	
To set off part of Clackamas county and to annex to Multnomah county	414
Read first time	417
HOUSE BILL No. 264—	
For the relief of P. F. Castleman	414
Read first time	418
HOUSE BILL No. 265—	
To reimburse various counties of this State for moneys paid for the extermination of blacktail rabbits	414
Read first time	418
HOUSE BILL No. 266—	
To repeal Act to prevent deception in dairy products	418
Read first time	418
HOUSE BILL No. 267—	
To provide for appointment of harbor master on Willamette river at Portland	418
Read first time	418
HOUSE BILL No. 268—	
To establish and support a bureau of labor statistics	418
Read first time	418
Read second time	667
Referred	668
Reported	684
HOUSE BILL No. 269—	
To provide for the establishment of double narrow gauge railway portage between The Dalles and Celilo on the Columbia river	521
Read first time	524
Read second time	691

HOUSE BILL No. 270—	PAGE.
General appropriations reported.....	735
Read first time	740
Read second time and considered	781
Reported	781
Read third time and passed	783
Signed.....	829

BILLS—SENATE.

SENATE BILL No. 1—	
To regulate foreign corporations doing business in this State and to prescribe the powers and duties of such corporations.....	240
Read first time	240
Read second time and referred	240
Reported	812
Tabled	813
SENATE BILL No. 3—	
To incorporate the town of Cottage Grove	147
Read first time	147
Read second time.....	184
Read third time.....	345
Passed.....	346
Signed.....	460
SENATE BILL No. 6—	
To amend section 347 of title 4 of chapter 4 of the code of civil procedure.....	136
Read first time	136
Read second time and referred	175
Reported	350
Read third time and passed.....	807
Signed.....	807
SENATE BILL No. 7—	
To prevent bulls from running at large and to protect the improvement and breeding of cattle in certain counties in the State.....	142
Read first time	142
Referred.....	442
Read third time and passed.....	798
Signed.....	824
SENATE BILL No. 10—	
Being a bill for an Act to reimburse certain counties for moneys paid by them as taxes assessed against mortgages, as recorded in said counties	143
Read first time	143
Read second time.....	175
Read third time and passed	780
Signed.....	795
SENATE BILL No. 11—	
To amend section 3, title 1, chapter 20 of the miscellaneous laws of Oregon.....	145
Read first time	145
Read second time	176
SENATE BILL No. 13—	
To amend section 3, title 1 of chapter 50 of the civil code, miscellaneous laws.....	241
Read first time	241
Read second time.....	325

SENATE BILL No. 15—	PAGE.
Being a bill for an Act to authorize the construction of a bridge across the Willamette river between Portland and East Portland.....	183
Read first time	183
Read second time	248
Read third time	248
Passed	249
Signed	291
Vetoed	541
Reconsidered	580
Passed	581
SENATE BILL No. 16—	
To amend the charter of Prineville, Crook county, Oregon	146
Read first time	146
Read second time	—
Referred	193
Read third time and passed	529
Signed	587
SENATE BILL No. 17—	
To amend section 6, chapter 49 of miscellaneous laws of Oregon	145
Read first time	145
Read second time and referred	176
Reported	368
Read third time and passed	584
Signed	587
SENATE BILL No. 20—	
To prevent frauds in obtaining certificates of registration of live stock	145
Read first time	145
Read second time and referred	176
Read third time and passed	—
Signed	817
SENATE BILL No. 26—	
To amend sections 6, 8, 9, 16, 23 of charter of city of Salem	239
Read first time	239
Read second time and referred	255
Reported	401
Read third time and passed	531
Signed	687
SENATE BILL No. 27—	
To provide for constructing cattle crossings under public roads and highways	242
Read first time	242
Read second time	325
Read third time and passed	799
Signed	817
SENATE BILL No. 30—	
To amend section 5, title 1, chapter 50 of the miscellaneous laws of Oregon	241
Read first time	241
Read second time	242
Reported	437

SENATE BILL No. 35—	PAGE.
For the protection of live stock.....	251
Read first time	251
Read second time	326
Read third time and passed	814
Signed.....	828
SENATE BILL No. 37—	
To provide for the publication of the decisions of the supreme court.....	144
Read first time	144
Read second time	176
Referred.....	656
Reported.....	683
Read third time and passed.....	787
Signed.....	817
SENATE BILL No. 39—	
To amend section 7, title 1, chapter 50 of the miscellaneous laws of Oregon.....	250
Read first time	250
Read second time	325
SENATE BILL No. 40—	
To amend an Act entitled an Act to incorporate the city of Portland.....	221
Read first time	221
Read second time.....	322
Indefinitely postponed.....	575
SENATE BILL No. 41—	
To prescribe the fees of witnesses in Clatsop county.....	251
Read first time.....	251
Read second time	326
Read third time and passed	788
Signed.....	807
SENATE BILL No. 45—	
To amend sections 572 and 575, title 1, chapter 7 of the code.....	157
Read first time	157
Read second time.....	185
SENATE BILL No. 47—	
To amend sections 491 and 494 of the code of civil procedure.....	157
Read first time	157
Read second time.....	185
Read third time and passed.....	766
Signed.....	784
SENATE BILL No. 48—	
To provide a code of procedure in the matter of ascertaining, etc., disputed boundary lines.....	449
Read first time.....	449
Read second time	567
Read third time and passed	790
Signed.....	817
SENATE BILL No. 50—	
To repeal an Act entitled an Act to protect certain birds of the pheasant kind.....	252
Read first time	252
Read second time	326
Read third time.....	802
Failed to pass	803

	PAGE.
SENATE BILL No. 52—	
To amend sections 2 and 3 of an Act to regulate the transportation of passengers and freight.....	252
Read first time	252
Read second time	326
SENATE BILL No. 54—	
To amend section 1 of an Act to authorize foreign corporations to do business in this State	376
Read first time	374
Read second time	382
Read third time	450
Passed	451
Signed	468
SENATE BILL No. 55—	
To amend section 5 of chapter 7 of the miscellaneous laws of Oregon	376
Read first time	376
Read second time	401
Read third time and passed	451
Signed	468
SENATE BILL No. 57—	
To authorize county courts to expend county money in the construction of county roads	540
Read first time	540
Read second time	765
Read third time	765
Passed	765
Signed	774
SENATE BILL No. 58—	
For the relief of Joel J. Hembree to pay territorial warrants	233
Read first time	253
Read second time	325
Read third time and failed to pass	324
SENATE BILL No. 59—	
To increase the efficiency of our common schools	662
Read first time	662
Read second time	665
Read third time and passed	665
Signed	779
SENATE BILL No. 62—	
To authorize board of commissioners for sale of school and university lands to employ an agent in La Grande district	287
Read first time	287
Read second time	323
Referred	330
Reported	332
Read third time and passed	332
Signed	723
SENATE BILL No. 63—	
To regulate the salaries of the county judges	254
Read first time	254
Read second time and referred	326

SENATE BILL No. 66—	PAGE.
To regulate the practice of dentistry.....	259
Read first time	259
Read second time	259
Read third time	791
Passed	792
Signed	817
SENATE BILL No. 67—	
To authorize county courts to build armories in cities of 10,000 inhabitants.....	263
Read first time	263
Read second time	263
Read third time	336
Passed	337
Signed	396
SENATE BILL No. 68—	
To amend section 8 of chapter 7 of the miscellaneous laws of Oregon	532
Read first time	532
Read second time	568
SENATE BILL No. 69—	
To amend sections 16 and 17 of title 3 of chapter 31 of the miscellaneous laws of Oregon.....	672
Read first time	672
SENATE BILL No. 77—	
To prevent false labeling and branding of fish	669
Read first time	669
SENATE BILL No. 80—	
Defining vagrants and providing a penalty for vagrancy	753
Read first time	753
Read second time	753
Read third time and passed	754
Signed	779
SENATE BILL No. 81—	
To declare forfeited to the State of Oregon certain swamp and overflowed lands therein	589
Read first time	589
Read second time	611
Read third time	611
Passed	612
Signed	723
SENATE BILL No. 83—	
To protect stock growers within the State of Oregon	392
Read first time	392
Read second time and referred	392
Read third time	750
Passed	759
Signed	779
SENATE BILL No. 84—	
To amend Acts incorporating the city of Albany	147
Read first time	147
Read second time	184
Read third time and passed	346
Signed	583

SENATE BILL No. 89—	PAGE.
To provide for the foreclosure of the mortgage executed by the Baker City academy to the State of Oregon, and the sale of said premises	283
Read first time	283
Read second time	326
Read third time and passed	327
Signed	396
SENATE BILL No. 90—	
Amending sections 2 and 3 of an Act entitled an Act to incorporate the town of Marshfield	227
Read first time	227
Read second time	322
Read third time	533
Passed	534
Signed	661
SENATE BILL No. 91—	
To prevent the spread of contagious animal diseases	673
Read first time	673
Read second time	759
Read third time and failed to pass	803
SENATE BILL No. 92—	
To amend section 23 of title 3 of an Act entitled an Act to establish a uniform course of public instruction in the common schools of this State	281
Read first time	281
Read second time and referred	326
Reported	427
Read third (first) time	779
Passed	780
Signed	791
SENATE BILL No. 95—	
To authorize the Governor to secure return to Oregon and suitable burial therein of the body of ex-Governor A. C. Gibbs	239
Read first time	239
Read second time	323
Read third time and passed	799
Signed	817
SENATE BILL No. 98—	
To amend an Act entitled an Act to amend section 4 of title 1 of chapter 50 of the miscellaneous laws of Oregon	664
Read first time	664
SENATE BILL No. 102—	
To amend the Act incorporating the city of Silverton	414
Read first time	414
Read second time and referred	414
Reported	445
Read third time	532
Passed	533
Signed	611

	PAGE.
SENATE BILL No. 103—	
To amend an Act providing the manner in which wire fences shall be constructed in counties east of the Cascade mountains	190
Read first time	190
Read second time	321
Read third time and passed	806
Signed	824
SENATE BILL No. 106—	
To amend sections 2, 4, 5, 6 and 7 of title 1 of an Act entitled an Act to establish a uniform course of public instruction in the common schools of this State	451
Read first time	451
Read second time	568
Read third time and passed	767
Signed	784
SENATE BILL No. 107—	
To provide for the sale of certain lands belonging to the State of Oregon	284
Read first time	284
Read second time	328
Read third time	799
Passed	800
Signed	817
SENATE BILL NO. 108—	
To amend section 1003 of title 1 of chapter 14 of the civil code of Oregon	668
Read first time	668
SENATE BILL No. 109—	
To amend section 1 of an Act entitled "An Act for the protection of fish and game," and to repeal section 2 of said Act	295
Read first time	295
Read second time	328
Read third time and failed to pass	811
SENATE BILL No. 111—	
To amend section 6, title 1, chapter 18 of the civil code, miscellaneous laws of the State of Oregon	669
Read first time	669
SENATE BILL No. 112—	
To amend an Act entitled an Act to incorporate the town of Pendleton	227
Read first time	227
Read second time	322
Read third time	796
Passed	797
Signed	824
SENATE BILL No. 113—	
To create the office of county recorder and prescribing the duties thereof	670
Read first time	670
Read second time and referred	671
Reported	714
Read third time	793
Passed	794
Signed	824
SENATE BILL No. 115—	
To provide a more efficient method for the collection of delinquent taxes	672
Read first time	672

	PAGE.
SENATE BILL No. 117—	
To amend the charter of the city of Astoria.....	285
Read first time	285
Read second time	286
Read third time and passed.....	286
Signed.....	291
SENATE BILL No. 119—	
To incorporate Baker City, Baker county, Oregon.....	130
Read first time	130
Read second time and referred	175
Reported	437
Read third time	576
Passed.....	577
Signed.....	742
SENATE BILL No. 122—	
To provide for the appointment of a boatman at Astoria, Oregon.....	748
Read first time	748
SENATE BILL No. 125—	
Declaring what shall constitute the irreducible school fund of the State and to provide for its investment	193
Read first time	193
Read second time	321
Read third time.....	789
Passed.....	790
Signed.....	796
SENATE BILL No. 127—	
To amend section 13 of chapter 23 of the miscellaneous laws of Oregon.....	748
Read first time	748
SENATE BILL No. 131—	
An Act to authorize the Secretary of State to purchase portraits of the Governors of the State.....	671
Read first time	671
Read second time	824
SENATE BILL No. 133—	
To authorize the building of a bridge across the Willamette river between Marion and Yamhill counties	406
Read first time	406
Read second time and referred	412
Reported	422
Read third time and passed.....	801
Signed.....	824
SENATE BILL No. 134—	
To amend an Act entitled "An Act to incorporate the city of Hillsboro".....	223
Read first time	223
Read second time	223
Read third time.....	223
Passed.....	224
Signed.....	291

	PAGE.
SENATE BILL No. 135—	
To amend section 8 of an Act to create the county of Crook.....	194
Read first time	194
Read second time	322
Read third time and passed.....	576
Signed.....	661
SENATE BILL No. 137—	
To incorporate the town of Grant's Pass	393
Read first time	393
Read second time	—
Read third time.....	679
Passed	680
Signed.....	755
SENATE BILL No. 149—	
To amend an Act and repeal an Act entitled "An Act to incorporate Dalles City".....	231
Read first time	231
Read second time	323
Read third time and passed.....	530
Signed	725
SENATE BILL No. 150—	
To allow the legal voters of Lane county to vote on the question of swine running at large in said county.....	230
Read first time	230
Read second time	322
HOUSE BILL No. 151—	
To amend an Act to incorporate the town of Oakland	232
Read first time	232
Read second time.....	232
Read third time and passed	529
Signed.....	587
SENATE BILL No. 152—	
To amend an Act entitled an Act to incorporate the town of Jacksonville	249
Read first time	249
Read second time and referred	250
Reported	388
Read third time and passed.....	533
Referred	533
Signed.....	587
SENATE BILL No. 153—	
To amend an Act to incorporate the city of Portland, approved October 24, 1882	232
Read first time	232
Read second time.....	233
Read third time.....	529
Passed.....	530
Signed.....	661
SENATE BILL No. 154—	
To amend section 4, chapter 26 of the miscellaneous laws of Oregon	750
Read first time	750
Read second time	831
Read third time and passed.....	822
Signed	828

SENATE BILL No. 155—

To amend an Act entitled "An Act to authorize the construction of a dyke across Isthmus slough"	230
Read first time	230
Read second time	322
Read third time and passed	798
Signed	817

SENATE BILL No. 156—

To provide for the times of holding the terms of circuit court in the fifth judicial district	231
Read first time	231
Read second time and referred	237
Reported	427
Read third time and passed	576
Signed	661

SENATE BILL No. 158—

To authorize the construction of a dyke across Duncan slough	237
Read first time	237
Read second time	238
Read third time and passed	238
Signed	291

SENATE BILL No. 161—

For an Act for the recovery of real and personal property escheated to the State and to repeal chapter 16 of the miscellaneous laws of Oregon	---
Read first time	---
Read second time	381
Read third time and passed	800
Signed	817

SENATE BILL No. 162—

To amend an Act entitled "An Act to amend an Act entitled an Act to amend section 8, chapter 8, of the general laws of Oregon"	448
Read first time	448
Read second time	567
Read third time and passed	802
Signed	817

SENATE BILL No. 163—

To amend the city charter of McMinnville	312
Read first time	312
Read second time	381
Reported	438
Read third time and passed	530
Signed	661

SENATE BILL No. 164—

To authorize the construction of a wagon bridge across the Willamette river at Oregon City	532
Read first time	532
Read second time	568
Read third time and passed	764
Signed	779

	PAGE.
SENATE BILL No. 165—	
Read first time	580
Read second time	673
Read third time	706
Passed	707
Signed	745
HOUSE BILL No. 166—	
To establish a board of railroad commissioners	603
Read first time	603
Read second time	603
Read third time	760
Passed	761
Signed	795
SENATE BILL No. 167—	
To regulate the sale of spirituous, malt or vinous liquors	746
Read first time	746
SENATE BILL No. 168—	
Read first time	593
SENATE BILL No. 170—	
To fix and regulate the fees of justices of the peace and constable in Clatsop county ...	449
Read first time	449
Read second time	567
SENATE BILL No. 172—	
To amend the charter of Portland	538
Read first time	538
SENATE BILL No. 173—	
Fixing the compensation of the sheriffs of Clatsop and Curry counties for collecting taxes ..	539
Read first time	539
SENATE BILL No. 175—	
Read first time	729
Read second time	729
Read third time and passed	803
Signed	824
SENATE BILL No. 176—	
Introduced in lieu of senate bills Nos. 69, 105, 123 and 143, senate bill No. 176 to license and regulate insurance business in the State	742
Read first time	742
Read second time	743
Read third time	744
Reported	744
Passed	744
Signed	784
SENATE BILL No. 178—	
Te amend section 17 of an Act entitled an Act to incorporate the city of Halsey	755
Read first time	755
Read second time	756
Read third time and passed	756
Signed	784

	PAGE
SENATE BILL No. 179—	
To amend the city charter of Astoria	757
Read first time	757
SENATE BILL No. 180—	
To provide an additional circuit judge for the sixth judicial district	681
Read first time	681
Read second time	682
Read third time and passed	682
Signed	722
SENATE BILL No. 182—	
Directing the Governor to call a special election in November, 1887	752
Read first time	752
Read second time	752
Read third time	752
Passed	753
Signed	779
SENATE BILL No. 183—	
Read first time	758
SENATE BILL No. 184—	
Changing time and place for holding court in the sixth judicial district	749
Read first time	749
Read second time	749
Read third time	749
Passed	750
Signed	779
SENATE BILL No. 185—	
To perpetuate testimony in certain cases	758
Read first time	758
BILYEU, W. R.—	
Courtesies extended to	245
BLUNDELL, J. E.—	
Excused from visiting normal school	95
Protest of	
BOWERSON, REV. J.	
Prayer by	46, 226, 454
BURCH, HON. B. T.—	
Conducted to seat within the bar	70

C.

CHAMBERS, REV. J. TAYLOR—	
Prayer by	12, 305
CHIEF CLERK—	
Nominations for	10
Vote for	10
CLEVELAND, HON. L.—	
Invited to a seat within the bar	354
COCHRAN, HON. R. B.—	
Invited to a seat within the bar	13

INDEX.

109

	PAGE.
COLE, J. P.—	
Elected Assistant Chief Clerk	10
COLLARD, HON. WILLIAM—	
Conducted to a seat within the bar	86
COMMITTEES—	
Standing	5
On credentials	7
On permanent organization	8
To wait upon Governor	13
To examine books of Secretary of State	18
On joint rules	18
To examine affairs of Treasurer	19
Under house concurrent resolution No. 2	25
To examine insane asylum	31
Standing, announcement of	48
Under senate joint resolution No. 2	54
Under house concurrent resolution No. 14	56
Under house concurrent resolution No. 13	56
Under house concurrent resolution No. 15	57
On printing, change in	72
Under senate concurrent resolution No. 2	78
Under house concurrent resolution No. 17	79
To investigate fish ladder	88
On Rogue river bridge	98
Under senate concurrent resolution No. 7	107
On investigation	126
Under house resolution No. 38	133
On labor	157
On insurance	197
On State board of immigration	200
On clerks' wages	275
On mileage and per diem	281
On house bill No. 215	319
On locks at Oregon City	374
Under house concurrent resolution No. 23	391
On house bill No. 268	669
Under senate concurrent resolution No. 15	794
To investigate fisheries	811
COMMUNICATIONS—	
From Secretary of State	27
From secretary of Willamette Farmer Publishing Company	59
From Portland board of trade	68
From Multnomah Camp, No. 2, Indian War Veterans	84
From Secretary of State	151
From Columbia assembly No. 3496, K. of L.	169
From city council of Walla Walla	374
From Grand Army of the Republic	587
From Oregon State Temperance Alliance	760
CORNELIUS, T. R.—	
Vote for Governor	28

D.

	PAGE.
DURHAM, HON. GEO. H.—	
Invited to a seat within the bar	144

E.

EX-MEMBERS, ETC.—	
Invited within the bar	13

F.

FENTON, HON. W. D.—	
Invited to a seat within the bar	13, 521
FISH COMMISSIONERS—	
Election of	21
FULLERTON, HON. J. C.—	
Invited to a seat within the bar	137

G.

GEER, HON. T. T.—	
Invited within the bar	610
GEORGE, HON. M. C.—	
Courtesies extended to	245
GOODSELL, D.—	
Called to chair	70
GREGG, SPEAKER—	
Telegram from	224
GUBSER, MR.—	
Appointed to visit normal school	93

H.

HARE, SENATOR—	
Appointed teller	28
HARRIS, REV. J. W.—	
Prayer by	60, 415, 577, 767
HARRINGTON, REV. W. H.—	
Prayer by	92
HAWLEY, HON. J. H.—	
Invited within the bar	656
HILL, REV. R. W.—	
Prayer by	30
HOUSTON, J. E.—	
Number of votes for Governor	28

J.

JENNINGS, A. C.—	
Elected Chief Clerk <i>pro tem.</i>	7
JOINT CONVENTION—	
To canvass vote for Governor	27
To elect Pilot Commissioners and Librarian	735
To elect Fish Commissioners	819

K.

KELLY, CAPTAIN—	PAGE.
Invited to seat within the bar	258

L.

LAUGHEAD, L.—	
Elected Page	12
LAUGHERY, JUDGE—	
Invited within the bar	718
LIBRARIAN—	
Election of	737

M.

MCCALL, HON. J. M.—	
Invited to seat within the bar	138
MEMBERS OF THE HOUSE—	
List of	3
MESSAGES—	
From the Governor enclosing dispatch from Senator John H. Mitchell	281
From the Governor, veto of house bill No. 32	419
From the Governor, veto of senate bill No. 15	541
From the Secretary of State	563
From the Governor, enclosing letter from Hon. Henry Failing	675

MEMORIALS—HOUSE JOINT.

HOUSE JOINT MEMORIAL No. 1—	
For change of manner of electing United States Senators	13
Referred	13
Changed to house joint resolution No. 6	24
HOUSE JOINT MEMORIAL No. 2—	
Asking payment of Indian war claims	62
Referred	62
Reported	109
Adopted	109
HOUSE JOINT MEMORIAL No. 3—	
Providing for the buying of the Umpqua river	148
Adopted	148
Signed	182
HOUSE JOINT MEMORIAL No. 4—	
Relative to the Indian war of 1855-6	284
Adopted	284
Signed	379
HOUSE JOINT MEMORIAL No. 5—	
Asking our members in congress to use efforts to remove John G. Parks as chief engineer of river and harbor business	181
Referred	181
Reported	366
Adopted	367

MEMORIALS—SENATE JOINT.

	PAGE.
SENATE JOINT MEMORIAL No. 1—	
Praying United States Senate to modify the treaty between the United States and China so as to prohibit the immigration of Chinese laborers.....	82
Concurred in.....	82
Signed.....	106
SENATE JOINT MEMORIAL No. 2—	
To Senators and Representatives from the State of Oregon in Congress, urging the forfeiture of land grants to railroads, because of the non-compliance of said rail- road companies with the conditions of their respective grants	83
Concurred in.....	83
Signed.....	107
SENATE JOINT MEMORIAL No. 3—	
Forfeiting unearned Northern Pacific railroad lands	112
Concurred in.....	112
Signed.....	171
SENATE JOINT MEMORIAL No. 4—	
Praying for an appropriation for the improvement of the Willamette river at Corvallis ..	177
Concurred in.....	177
Signed.....	233
SENATE JOINT MEMORIAL No. 5—	
Praying congress for an appropriation for the improvement of the Umpqua river.....	194
Concurred in.....	194
Signed.....	233
SENATE JOINT MEMORIAL No. 6—	
Asking appropriation for the improvement of the Columbia river.....	405
Concurred in.....	405
Signed.....	460
SENATE JOINT MEMORIAL No. 7—	
Asking completion of the canal and locks at the cascades of the Columbia.....	405
Concurred in.....	405
Signed.....	541
SENATE JOINT MEMORIAL No. 8—	
Asking that Oregon pioneer citizen soldiers be pensioned.....	319
Concurred in.....	319
Signed.....	396
SENATE JOINT MEMORIAL No. 9.	
In relation to senate joint memorial No. 6 of 1885.....	730
Concurred in.....	73
Signed.....	779
SENATE JOINT MEMORIAL No. 10.	
In relation to a wagon road from Cape Foulweather in Benton county to Coos bay in Coos county.....	794
Concurred in.....	795
MILEAGE OF MEMBERS.....	282
MILLER, HON. CHARLES—	
Conducted to seat within bar.....	71
MILLER, REV. J. W.—	
Prayer by.....	685

INDEX.

113

MITCHELL, REPRESENTATIVE—

PAGE.

Appointed Teller 28

MOODY, GOVERNOR—

Delivered address 29

Address --

N.

NEWELL, REV. M.—

Prayer by 130, 269

NICHOLS, HON. W. J.—

Invited within the bar --

O.

OATH—

Members signed 9

Secretary of State administered to members 9

OATH OF OFFICERS—

Secretary of State administered 12

OFFICERS—

Of house 2

ORGANIZATION—

Of senate 11

P.

PAGE, JUDGE—

Invited to a seat within the bar --

PAGE, HON. S. B.—

Invited to a seat within the bar 563

PARKER, HON. ALLEN—

Courtesies of house extended to 180

PENNOYER, S.—

Votes received for Governor 28

PENNOYER, SYLVESTER—

Declared elected Governor 28

PENNOYER, GOVERNOR—

Read inaugural address 29

PILOT COMMISSIONERS—

Election of 736

R.

REED, HON. C. A.—

Escorted within the bar 150

REPORTS OF COMMITTEES—

Credentials 7

On permanent organization 9

To wait upon the Governor 22

On joint rules 39

On house concurrent resolution No. 11 149

Joint, to investigate insane asylum 215

To investigate charges in Oregonian 217

REPORTS OF COMMITTEES—CONTINUED—

	PAGE.
On clerk hire.....	308
Under house resolution No. 35	309
On canal and locks at Willamette falls	328
To visit the dalles and government works at Cascades	329
To visit school for deaf mutes	400
On Chinese labor.....	409
On public lands.....	468
To investigate affairs of State board of immigration	525
On public lands.....	535
On public buildings.....	585
On State board of agriculture.....	595
To visit blind school.....	601
On assessment and taxation	625
On assessment and taxation, minority	654
To visit penitentiary	666
On education, regarding school books	683
On Willamette Falls Canal and Locks Company.....	703
On State printing	710
On Treasurer's books.....	713
To examine books of Secretary of State	733
On fish ladder	740
On mileage of special committees.....	741

RESOLUTIONS—HOUSE.

HOUSE RESOLUTION No. 1—

Inviting reporters within the bar.....	14
Adopted	14

HOUSE RESOLUTION No. 2—

Authorizing Secretary of State to furnish members with copies of laws and journals.....	14
Adopted.....	14

HOUSE RESOLUTION No. 3—

Instructing Secretary of State to furnish members with stamps, etc.	14
Adopted.....	14

HOUSE RESOLUTION No. 4—

To furnish members with daily papers	15
Adopted	15

HOUSE RESOLUTION No. 5—

Requesting Secretary of State to print rules of house.....	15
Adopted	15

HOUSE RESOLUTION No. 9—

Instructing Speaker to procure a Reading Clerk.....	20
Adopted	20

HOUSE RESOLUTION No. 10—

Fixing time of sessions of house	24
Introduced.....	24

HOUSE RESOLUTION No. 11—

Instructing Sergeant-at-Arms to invite clergymen to open morning session with prayer.....	25
Adopted	25

INDEX.

115

	PAGE.
HOUSE RESOLUTION No. 12—	
Instructing Speaker to telegraph United States Senators house concurrent resolution	
No. 10.....	25
Adopted.....	25
HOUSE RESOLUTION No. 13—	
Authorizing Sergeant-at-Arms to furnish officers with stamps, etc.....	43
Adopted.....	43
HOUSE RESOLUTION No. 14—	
Instructing Secretary of State to furnish members with maps.....	45
Adopted.....	45
HOUSE RESOLUTION No. 15—	
Requesting Secretary of State to furnish members with session laws from 1874 to 1882....	45
HOUSE RESOLUTION No. 16—	
Instructing committee on public lands to examine the condition of school lands, etc....	50
Adopted.....	51
HOUSE RESOLUTION No. 17—	
Empowering committees to employ clerks.....	51
Adopted.....	51
HOUSE RESOLUTION No. 18—	
Giving ex-Union soldiers preference for clerks.....	51
Adopted.....	51
HOUSE RESOLUTION No. 19—	
Ordering rules and list of committees.....	51
Printed.....	52
Adopted.....	52
HOUSE RESOLUTION No. 20—	
Instructing Secretary of State to supply members with session laws of 1880 and 1882.....	52
Adopted.....	52
HOUSE RESOLUTION No. 21—	
Authorizing Secretary of State to furnish officers with stamps, etc.....	59
Adopted.....	59
HOUSE RESOLUTION No. 22—	
Accepting offer of editor of Willamette Farmer.....	59
Adopted.....	60
HOUSE RESOLUTION No. 23—	
Instructing house committee on public lands to co-operate with committee under senate	
Joint resolution No. 3.....	62
Adopted.....	62
HOUSE RESOLUTION No. 24—	
Fixing time of meeting.....	76
Laid on table.....	76
HOUSE RESOLUTION No. 25—	
Referring part of Governor's message to committee on internal improvements.....	77
Adopted.....	77
HOUSE RESOLUTION No. 26—	
Requesting Secretary of State to furnish scales.....	84
Adopted.....	84
HOUSE RESOLUTION No. 27—	
Changing rule 41, introduced.....	86
Read second time.....	93
Adopted.....	94

	PAGE.
HOUSE RESOLUTION No. 28—	
Appointing committee to report on Governor's message	88
Adopted	88
HOUSE RESOLUTION No. 29—	
Requesting Secretary of State to report of tax commission	90
Adopted	91
HOUSE RESOLUTION No. 30—	
Instructing Sergeant-at-Arms to furnish clerks of house with newspapers	91
Indefinitely postponed	91
HOUSE RESOLUTION No. 31—	
Requesting Secretary of State to furnish copies of statistics showing fees of county clerks, etc	92
Adopted	93
HOUSE RESOLUTION No. 32—	
Refusing admission to committee rooms to persons other than members or clerks	93
Adopted	93
HOUSE RESOLUTION No. 33—	
Instructing Clerk to prepare calendar	95
Adopted	95
HOUSE RESOLUTION No. 34—	
Ordering appointment of committee to investigate articles in Oregonian	98
Lost	98
HOUSE RESOLUTION No. 35—	
Appointing committee to investigate claim of John Mullan	116
Adopted	117
HOUSE RESOLUTION No. 36—	
Ordering printing of bill incorporating Grant's Pass	117
Adopted	117
HOUSE RESOLUTION No. 37—	
Ordering investigation of articles published in Oregonian	124
Adopted	126
HOUSE RESOLUTION No. 38—	
Referring petitions relative to fence laws, etc., to committee	130
Adopted	130
HOUSE RESOLUTION No. 39—	
Instructing Chief Clerk to procure constitutional amendments from Secretary of State	141
Adopted	141
HOUSE RESOLUTION No. 40—	
Directing that a committee be appointed on labor	148
Adopted	148
HOUSE RESOLUTION No. 41—	
Authorizing Secretary of State to provide additional bill file	167
Adopted	167
HOUSE RESOLUTION No. 42—	
Authorizing correction of errors in house joint memorial No. 2.	176
Adopted	177
HOUSE RESOLUTION No. 43—	
Refusing Oregonian reporter privileges of house	182
Postponed	
Withdrawn	

	PAGE.
HOUSE RESOLUTION No. 44—	
Relating to evening sessions.....	185
Laid on table.....	185
Adopted.....	205
HOUSE RESOLUTION No. 45—	
Relating to printing house bill No. 63.....	188
Lost	188
HOUSE RESOLUTION No. 46—	
Relating to committee on mileage	188
Adopted.....	188
HOUSE RESOLUTION No. 47—	
Relating to printing house bill No. 63.....	195
Adopted.....	195
HOUSE RESOLUTION No. 48—	
Authorizing discharge of clerks	250
Adopted.....	250
HOUSE RESOLUTION No. 49—	
Relating to per diem of clerks.....	275
Adopted.....	275
HOUSE RESOLUTION No. 50—	
Relating to account of Captain Mullan.....	276
Referred	277
HOUSE RESOLUTION No. 51—	
Requesting Secretary of State to furnish information stating amount of claim, etc., of Captain John Mullan	309
Adopted	309
HOUSE RESOLUTION No. 52—	
For appointment of committee to examine accounts of Willamette Falls Canal and Locks Company.....	359
Adopted.....	360
HOUSE RESOLUTION No. 53—	
Instructing Secretary of State to furnish chains for side entrance of bar	374
Adopted.....	374
HOUSE RESOLUTION No. 54—	
Fixing pay of clerks	569
Adopted	570
HOUSE RESOLUTION No. 55—	
Fixing pay of clerks	592
Adopted	592
HOUSE RESOLUTION No. 56—	
Limiting speeches.....	600
Adopted.....	600
HOUSE RESOLUTION No. 57—	
Amending house resolution No. 54.....	600
Ruled out of order	600
HOUSE RESOLUTION No. 58—	
Allowing each member to select one bill for action	624
Adopted.....	624
HOUSE RESOLUTION No. 59—	
Creating committee to correct journal.....	765
Adopted	765

HOUSE RESOLUTION No. 60—	PAGE.
Relating to pay of Sergeant-at-Arms.....	789
Adopted.....	789
HOUSE RESOLUTION No. 61—	
Committee to wait on Governor.....	824
Adopted.....	824
HOUSE RESOLUTION No. 62—	
Tendering thanks of house to Speaker.....	826
Adopted.....	826
HOUSE RESOLUTION No. 63—	
Extending thanks to republican members.....	826
Adopted.....	826
HOUSE RESOLUTION No. 64—	
Tendering thanks of minority to Speaker.....	826
Adopted.....	826
HOUSE RESOLUTION No. 65—	
Extending thanks to clergymen.....	826
Adopted.....	827
HOUSE RESOLUTION No. 69—	
Congratulating democratic minority.....	827
Adopted.....	827
HOUSE RESOLUTION No. 67—	
Extending thanks to reporters.....	827
Adopted.....	827

RESOLUTIONS—HOUSE CONCURRENT.

HOUSE CONCURRENT RESOLUTION No. 1—	
Providing a committee to examine into the affairs of the insane asylum.....	14
Adopted.....	15
Committee appointed.....	31
Report of committee.....	215
HOUSE CONCURRENT RESOLUTION No. 2—	
Providing joint committee to wait on the Governor.....	17
Adopted.....	17
Committee appointed.....	25
Committee reported.....	22
HOUSE CONCURRENT RESOLUTION No. 3—	
House ready to meet in joint convention for the purpose of canvassing vote for Governor.....	17
Adopted.....	17
Senate failed to concur in.....	21
HOUSE CONCURRENT RESOLUTION No. 5—	
Appointing committee on assessment and taxation.....	20
Adopted.....	20
Senate amendment adopted.....	54
HOUSE CONCURRENT RESOLUTION No. 6—	
Providing committee to examine books and accounts of State Treasurer.....	17
Adopted.....	17
Committee appointed.....	19
Report of committee.....	713

	PAGE.
HOUSE CONCURRENT RESOLUTION No. 7—	
Providing a joint committee on joint rules.....	18
Adopted.....	18
Report of committee.....	39
HOUSE CONCURRENT RESOLUTION No. 8—	
Providing a joint committee to examine books and accounts of Secretary of State and board of land commissioners	18
Adopted.....	18
Committee appointed	31
Report of committee.....	733
HOUSE CONCURRENT RESOLUTION No. 10—	
Instructing members of congress to support interstate commerce bill.....	24
Adopted.....	24
Amended and concurred in by senate.....	38
Amendment adopted.....	39
HOUSE CONCURRENT RESOLUTION No. 11—	
Providing joint committee to count funds in the hands of the Treasurer and the amount of the undiminishible school fund on hand	25
Adopted.....	26
Amended and concurred in by the senate.....	54
Amendment concurred in	55
HOUSE CONCURRENT RESOLUTION No. 12—	
Providing joint committee to inspect State normal school at Monmouth	32
Adopted.....	32
Amended and concurred in by the senate	38
Amendment adopted.....	38
HOUSE CONCURRENT RESOLUTION No. 13—	
Providing a committee to investigate the State printing for the last two years.....	43
Adopted.....	45
Committee appointed	56
Report.....	710
HOUSE CONCURRENT RESOLUTION No. 14—	
Appointing a committee to visit the deaf mute school.....	47
Adopted.....	47
HOUSE CONCURRENT RESOLUTION No. 15—	
Providing for a joint committee in regard to the Governor's message.....	50
Adopted.....	50
Committee appointed	57
HOUSE CONCURRENT RESOLUTION No. 16—	
Appointing committee to investigate office and affairs State Printer.....	63
Adopted.....	63
Reconsidered and laid on table.....	69
HOUSE CONCURRENT RESOLUTION No. 17—	
Appointing committee to investigate the management of the State penitentiary for the past two years.....	63
Adopted.....	63
Committee appointed	79
Report of committee	666
HOUSE CONCURRENT RESOLUTION No. 18—	
Directing Secretary of State to purchase 300 copies of 13th Oregon reports.....	65
Referred.....	65

	PAGE.
HOUSE CONCURRENT RESOLUTION No. 19—	
Approving act of Secretary of State in setting aside room for Oregon pioneer association	70
Adopted	70
HOUSE CONCURRENT RESOLUTION No. 20—	
Providing for a joint committee to investigate the canal and locks at Oregon City	93
Adopted	93
Report of joint committee on commerce	328
HOUSE CONCURRENT RESOLUTION No. 21—	
Providing for a joint committee on insurance	155
Adopted	155
House committee appointed	197
HOUSE CONCURRENT RESOLUTION No. 22—	
Instructing joint committee on public buildings	254
Adopted	254
HOUSE CONCURRENT RESOLUTION No. 23—	
Appointing committee to visit school for the blind	374
Adopted	374
Committee appointed	380
Report	600
HOUSE CONCURRENT RESOLUTION No. 24—	
Fixing time for the final adjournment of the fourteenth biennial session of the legislative assembly	608
Adopted	608
HOUSE CONCURRENT RESOLUTION No. 25—	
Joint convention to elect Fish Commissioners	806
Adopted	807
HOUSE CONCURRENT RESOLUTION No. 26—	
Relating to old desks	825
Adopted	825

RESOLUTIONS—HOUSE JOINT.

HOUSE JOINT RESOLUTION No. 1—	
In regard to public lands	14
Introduced	14
Referred	130
Reported	164
Adopted	165
Signed	567
HOUSE JOINT RESOLUTION No. 2—	
Providing a joint committee for recommending a basis for redistricting the senatorial and representative districts of the State	32
Adopted	33
HOUSE JOINT RESOLUTION NO 3—	
Providing joint committee to examine the fish ladder at Oregon City	36
Adopted	37
Senate amendment concurred in by the house	55
House committee appointed	88
Signed	106
Report of committee	740

	PAGE.
HOUSE JOINT RESOLUTION No. 6—	
In regard to the manner of the election of United States Senators.....	106
Adopted.....	107
Signed.....	133
HOUSE JOINT RESOLUTION No. 7—	
To obtain an appropriation to survey Tillamook bay, etc.....	64
Adopted.....	64
Signed.....	132
HOUSE JOINT RESOLUTION No. 8—	
Authorizing auditing board to audit and allow claims of Captain D. B. Reams.....	77
Referred.....	77
Reported.....	110
Adopted.....	110
HOUSE JOINT RESOLUTION No. 9—	
Declaring lands of Willamette Valley and Coast Railroad liable to taxation.....	273
Adopted.....	273
Indefinitely postponed.....	306
HOUSE JOINT RESOLUTION No. 10—	
Directing Secretary of State to compile road and game laws.....	356
Adopted.....	356
Substitute adopted.....	450
Signed.....	456
HOUSE JOINT RESOLUTION No. 11—	
Authorizing Secretary of State to have the journals copied for the printer.....	465
Adopted.....	466
Signed.....	579
HOUSE JOINT RESOLUTION No. 12—	
Providing that all the State printing shall be done by the State Printer.....	625
Adopted.....	625
Signed.....	728
HOUSE JOINT RESOLUTION No. 13—	
Proposing amendment to constitution.....	678
Lost.....	678
HOUSE JOINT RESOLUTION No. 14—	
Instructing joint committee on fisheries to visit fisheries of waters of the State.....	693
Laid on the table.....	693
HOUSE JOINT RESOLUTION No. 15—	
Directing manner in which State appropriation to agricultural college shall be used.....	721
Lost.....	722
HOUSE JOINT RESOLUTION No. 2 OF 1885—	
Providing for a constitutional amendment.....	152
Adopted.....	152
Signed.....	222
HOUSE JOINT RESOLUTION No. 1 OF 1885—	
On constitutional amendment.....	154
Adopted.....	154
Signed.....	567

RESOLUTIONS—SENATE CONCURRENT.

SENATE CONCURRENT RESOLUTION No. 1—	PAGE.
To meet in joint convention to canvass vote for Governor and to hear such communication as the Governor may desire to make and the inaugural of the Governor-elect	20
Concurred in.....	20
SENATE CONCURRENT RESOLUTION No. 2—	
Providing a joint special committee to which to refer all reapportionment bills.....	56
Concurred in.....	56
Committee appointed.....	78
SENATE CONCURRENT RESOLUTION No. 3—	
Columbia river improvement committee authorized to appoint a clerk.....	50
Concurred in.....	51
SENATE CONCURRENT RESOLUTION No. 4—	
To appoint committee to examine work done by State board of immigration.....	110
Concurred in.....	110
Report of committee.....	525
SENATE CONCURRENT RESOLUTION NO. 5—	
Committee to examine returns of the Rogue river bridge appropriation of 1885.....	92
Concurred in.....	92
Committee appointed.....	98
SENATE CONCURRENT RESOLUTION No. 6—	
Joint committee to visit Astoria and to examine pilot system, etc.....	102
House refuse to concur.....	103
SENATE CONCURRENT RESOLUTION No. 7—	
Appointing joint committee to investigate and report upon the affairs of the State board of agriculture.....	105
Concurred in.....	105
Committee appointed.....	107
Report of committee.....	596
SENATE CONCURRENT RESOLUTION No. 8—	
Requesting Secretary of State to have printed 250 copies of annual railroad reports.....	113
Concurred in.....	113
SENATE CONCURRENT RESOLUTION No. 9—	
For consent of the legislature for the United States to purchase land for the Indian training school.....	166
Concurred in.....	167
SENATE CONCURRENT RESOLUTION No. 10—	
Requesting Secretary of State to abbreviate the copies of railroad reports to be furnished under senate concurrent resolution No. 8.....	279
Concurred in.....	306
SENATE CONCURRENT RESOLUTION No. 11—	
Telegraphing Senator Gorman of Maryland the thanks of the legislature.....	593
Concurred in.....	593
SENATE CONCURRENT RESOLUTION No. 12—	
To meet in joint convention to elect State Librarian, Pilot Commissioners and Register Land Office at La Grande.....	686
Concurred in.....	686

	PAGE.
SENATE CONCURRENT RESOLUTION No. 13—	
Authorizing board of building commissioners to furnish brick to the Oregon children's aid society	731
Concurred in	731
SENATE CONCURRENT RESOLUTION No. 14—	
Authorizing joint committee to fix compensation of clerks	731
Concurred in	731
SENATE CONCURRENT RESOLUTION No. 15—	
Appointing committee to examine the fishing industries of the State	794
Concurred in	794
Committee appointed	794
SENATE CONCURRENT RESOLUTION No. 16—	
To inform the Governor that the senate was ready to adjourn	829
Concurred in	829
Committee appointed	829
Report	830

RESOLUTIONS—SENATE JOINT.

SENATE JOINT RESOLUTION No. 1—	
Providing committee to examine canal and lock improvements of the cascades of the Columbia river	42
Concurred in	43
Signed	106
Committee appointed	43
Report	330
SENATE JOINT RESOLUTION No. 2—	
Providing a joint committee to devise ways and means to protect the fishing industries of the State	44
Concurred in	44
Committee appointed	54
Signed	105
SENATE JOINT RESOLUTION No. 3—	
Appointing joint committee to examine books and records of the State Treasurer and board of commissioners for the sale of school and university lands, etc.	53
Concurred in	53
Signed	108
SENATE JOINT RESOLUTION No. 5—	
Instructing U. S. Senators and Representatives to urge measures to prevent aliens from using the public lands in the United States for the purpose of raising live stock....	81
Concurred in	81
Signed	171
SENATE JOINT RESOLUTION No. 6—	
Repealing advisory board of pardons	199
Concurred in	199
Signed	234
SENATE JOINT RESOLUTION No. 7—	
Appointing joint committee to examine into the condition and utility of the State pilot schooner "Gov. Moody"	85
House refused to concur	85

	PAGE.
SENATE JOINT RESOLUTION No. 9—	
County superintendents to select text-books for use in public schools	178
Concurred in	178
Signed	234
SENATE JOINT RESOLUTION No. 10—	
Authorizing Secretary of State to arrange, compile and have printed school laws, and to furnish each member of the legislative assembly with a copy	178
Concurred in	178
Signed	234
SENATE JOINT RESOLUTION No. 11—	
Authorizing committee on swamp lands to compel attendance of witnesses, etc.	199
Concurred in	199
Signed	235
SENATE JOINT RESOLUTION No. 12—	
To appropriate \$500 for the Oregon pioneer association	192
Concurred in	192
Signed	234
SENATE JOINT RESOLUTION No. 14—	
Special election on constitutional amendment	446
Concurred in	447
Signed	541
SENATE JOINT RESOLUTION No. 15—	
Constitutional amendment under senate joint resolution No. 12 of 1885	582
Concurred in	583
Signed	583
SENATE JOINT RESOLUTION No. 16—	
Authorizing the Governor to call a special election on the constitutional amendment ..	690
Concurred in by house	691
Signed	745
SENATE JOINT RESOLUTION No. 17—	
Monument to General Joseph Lane	690
House refused to concur	691
SENATE JOINT RESOLUTION No. 18—	
Asking congress to reimburse settlers for excess paid for lands within forfeited railroad grants	730
Concurred in	731
Signed	779
SENATE JOINT RESOLUTION No. 19—	
Asking pensions for soldiers of the Indian war of 1846-7	732
Concurred in	732
Signed	779
SENATE JOINT RESOLUTION No. 20—	
Authorizing the Secretary of State to furnish a copy of Hill's code and the 12th and 13th volumes of Oregon reports to members of the present legislature	732
Concurred in	733
Signed	755
SENATE JOINT RESOLUTION No. 21—	
Appointing the Governor to represent the State at the convention of Governors to be held in Philadelphia September, 1887	760
Concurred in	760
Signed	779

SENATE JOINT RESOLUTION No. 12 OF 1885—	PAGE.
On constitutional amendment	153
Adopted	154
Signed	461
RIDDLE, HON. G. W.,	
Invited to seat within bar	126
ROGERS, H.—	
Elected Sergeant-at-Arms	11
RULES OF THIRTEENTH SESSION—	
Adopted	12
RUGG, REV. M. L.,	
Prayer by	24, 390, 726

S.

SMITH, MAC—	
Elected Page	12
SPEAKER—	
Nominations for	9
Vote for	9
SPEAKER PRO TEM.—	
Elected	7
SPERRY, HON. J. D.—	
Courtesies of house extended to	220
STORY, HON. GEORGE L.—	
Invited to seat within bar	354
SUMMERS, MR.—	
Elected Chairman pro tem	224

T.

TANNER, HON. A. H.—	
Invited within bar	458
TOLMAN, JUDGE—	
Invited to seat within bar	255
THOMPSON, HON. D. P.—	
Invited within bar	540
TOWNSEND, HON. R. S.—	
Invited within bar	718

V.

VETO—	
Of senate bill No. 15	541
Of senate bill No. 32	419
VOTE—	
For Speaker	9
For Chief Clerk	10
For Sergeant-at-Arms	10
For Doorkeeper	11